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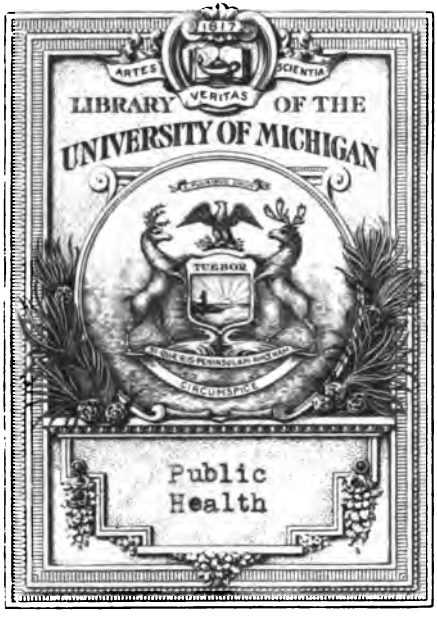
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U. S. DEPARTMENT OF LABOR
CHILDREN'S BUREAU
JULIA C. LATHROP, Chief

CHILD LABOR LEGISLATION
IN THE
UNITED STATES

BY
HELEN L. SUMNER and ELLA A. MERRITT

INDUSTRIAL SERIES No. 1
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[1] The text of the laws is not contained in the reprint entitled Separate No. 1—Analytical Tables.

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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, November 15, 1915.

SIR: I transmit herewith a publication containing texts of the child labor laws in force on October 1, 1915, together with a comparative tabular analysis covering the most important points.

This material has been prepared under the direction of Miss Helen L. Sumner, Assistant Chief of the Children's Bureau.

The tabulation of the laws is the work of Miss Ella A. Merritt, who has had the assistance of Miss Jane I. Newell, Miss H. Dora Stecker, Miss Marie Hourwich, and Miss May Agnes Melling.

The editing of the text, including the application of the system of headings and the preparation of explanatory notes, is primarily the work of Miss Rena Rosenberg.

In the compilation of the text and in the settlement of doubtful questions of inclusion or exclusion valuable assistance has been rendered by Mr. Carl A. Heistermann and Miss Lulu L. Eckman. Mr. Heistermann also collected and digested the court decisions and opinions, and Miss Eckman compiled the laws relating to the school census and many of the enforcement provisions.

Respectfully submitted.

JULIA C. LATHROP, *Chief.*

Hon. WILLIAM B. WILSON,
Secretary of Labor.

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CHILD LABOR LEGISLATION IN THE UNITED STATES

INTRODUCTION.

All child labor legislation in force on October 1, 1915, in the States and outlying possessions of the United States is brought together in this compilation, which is divided into two parts—first, a comparative tabular analysis of the most important legal provisions; and, second, the text[1] of all laws by States. In the first part in addition to two summary charts, the first covering minimum and regulated ages and the second hours of labor, there are seven tables covering all legal provisions relating to (1) minimum ages, (2) requirements for entering employment, (3) working papers, (4) hours of labor, (5) compulsory school attendance, (6) regulations governing street trades, and (7) regulations governing employment in theaters and public exhibitions. In the second part is given the text of all laws used in the tables and of other laws which, either because they represent a type of legislation not general throughout the States or because they were not considered of primary importance for the present purpose, were not tabulated.

In order that the exact scope of this compilation may be understood, some explanation is necessary of the method of selection and rejection. In the first place, new laws are often passed without specifically repealing old acts, and confusion therefore results as to the exact legal provisions in force at any given time. Usually when old acts are not specifically repealed the new law repeals "all acts or parts of acts inconsistent" with its own provisions, and even when there is no such general repealing section the later enactment supersedes by a rule of law any earlier enactment with which it is in conflict. Care has been taken to include all laws which have not been either specifically repealed or superseded on all important points by later legislation. If a test suit were brought in court, a doubtful section might of course be declared no longer in force. But, in the absence of a court decision or an official opinion of the attorney general of the State, it was thought best to give, with explanatory notes, sections which might by such a decision be declared valid. Some acts are therefore included which, although they may not be actually enforced at the present time, appear to be valid laws which might or ought to be enforced. In a considerable number of other cases notes are inserted summarizing the provisions of laws which, though not definitely repealed, are probably superseded in all except certain minor details. Whenever the part of a section superseded could not

[1] The text of the laws is not contained in the reprint entitled Separate No. 1—Analytical Tables.

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be determined, the section is accompanied by a note referring to the superseding act. In order to make the compilation as nearly accurate as possible, a list of all the sections included and copies of the tables for each State were sent to the attorney general of that State for verification.

For the subjects covered in the tabular analysis the basis of selection and rejection is most conveniently considered in connection with the tables. Any method of tabulation is more or less arbitrary, and each legal provision must be considered in relation to all other legal provisions to which it is logically related. For example, a minimum age of 14 years for employment in factories does not necessarily permit any child 14 years of age, regardless of education or physical condition, to work in a factory, nor does it preclude a minimum age of 16 years for employment in many occupations in factories. A certificate for the employment of a child in "any occupation" does not permit his employment in an occupation elsewhere forbidden by law.

MINIMUM AGE.

For legal purposes the age at which childhood ends can be conveniently fixed only at the age at which minority ends. For not only is the power of the State over a minor universally held to be greater than its power over an adult, and on a more certain legal basis, but because of this common basis for the exercise of special authority over all minors of whatever age, differences between States in age limits to which legal regulations of all kinds apply have almost universally as the upper limit the age when the minor becomes an adult. This age, moreover, is the only limitation on such differences between States.

Under laws establishing minimum ages, therefore, are included all laws—with certain exceptions mentioned later—which prohibit in particular occupations the employment of minors, whether or not the exact age is specified. Laws prohibiting the employment of "females" in certain occupations are also included because they apply to girls and are of the same character as other laws which apply to both women and children or only to minors.

Under the common law persons of either sex are minors until they become 21 years of age. This is the age at which both sexes attain their majority in 32 out of the 53 political divisions[1] of which the United States is composed, and in 10 of these 32 divisions this common-law age has been confirmed by statute. In the remaining 21 political divisions, however, the common law has been superseded by legislation leaving 21 years as the age of majority for males but providing that 18 years shall be the age for females. The age of majority is,

[1] These 53 political divisions are the 48 States of the Union, the District of Columbia, Alaska, Hawaii Porto Rico, and the Philippine Islands.

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therefore, 21 years for males throughout the territory of the United States and for females in all but 20 States and Hawaii, where it is 18.[1] These 20 States, which include, in addition to Vermont, Ohio, and Illinois, all the States west of the Mississippi River except Louisiana, Texas, New Mexico, Arizona, and Wyoming, are, in alphabetical order, as follows:

Arkansas.	Iowa.	Nebraska.	Oregon.
California.	Kansas.	Nevada.	South Dakota.
Colorado.	Minnesota.	North Dakota.	Utah.
Idaho.	Missouri.	Ohio.	Vermont.
Illinois.	Montana.	Oklahoma.	Washington.

All laws establishing minimum ages for employment in particular occupations or industries are included except those which seem to be designed primarily for the protection of the public rather than of the children, as laws establishing minimum ages for chauffeurs, motion-picture operators, or masters, pilots, and engineers of steam vessels; for the protection of other employees, as laws establishing minimum ages for hoisting engineers in mines; or for the protection of both the public and other employees, as laws establishing minimum ages for steam-boiler engineers. This division according to the purpose of the law, whether for the protection of the child or of others, was not always easy to make, and in some instances other practical considerations governed. In a law regulating the age at which an elevator boy may be employed, for example, protection of the public is probably a more important factor than protection of the boy. Nevertheless, operating an elevator is an occupation in which young boys are so frequently employed that these laws are included. Laws forbidding employment agencies to send women or minors to immoral resorts are given as attempts to enforce an age limit, either for girls or for both sexes, in certain occupations where they will be exposed to immoral influences. Similarly, laws which prohibit the overworking of children or provide that girls shall not stand constantly mean practically the establishment of minimum ages for certain kinds or degrees of intensity of work. In general, laws establishing minimum ages for employment in saloons are included even for prohibition States, but the prohibition States are noted in the tables.

The fact should not be overlooked that the minimum age for employment in certain dangerous, injurious, and immoral occupations is not necessarily that specified by law. In a number of States the State board of health, the industrial commission, or some other body is authorized to determine what occupations are dangerous, injurious, or immoral for children and to prohibit employment under certain ages in these occupations. In most States administrative

[1] In some States both sexes and in others only females become of age on marriage, and in a few States an act of the legislature or a court decree may confer the privileges of majority for specific purposes.

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regulations on the subject can only increase the number of occupations classified as undesirable for children of the younger age groups, but in Wisconsin the industrial commission has entire control over the establishment of minimum ages for employment in all occupations. The provisional scale established by the Wisconsin law has not been changed, however, by the industrial commission, and so little use has been made in other States of powers of this kind that there seems as yet little occasion to consider the establishment of minimum ages through administrative regulations.

Two classes of laws establishing minimum ages for employment are omitted in the belief that they belong properly in a publication devoted to legal provisions governing qualifications and training for particular occupations—a publication which would cover the legal aspects of vocational education in its broadest sense. These are laws establishing minimum ages for obtaining licenses to practice professions and skilled occupations—not only the so-called learned professions, but such occupations as trained nurse, barber, or plumber—and laws relating to apprenticeship and to industrial and vocational education which are not so interwoven with laws regulating employment as to make their inclusion necessary.

REQUIREMENTS FOR ENTERING EMPLOYMENT.

All provisions relating to requirements for entering employment, other than those which relate specifically to vocational education for the particular occupation, and also all administrative features of such regulations are included and are summarized and compared in Tables 2 and 3. Table 2 shows the conditions which must be fulfilled before or at the time of entering employment, the documents, if any, which must be produced to prove compliance with these conditions, and also the similar conditions, such as physical examination or school attendance, which are or may be imposed after employment. If school attendance, however, is or may be required during employment, the details relative to such attendance are summarized in Table 5, which covers all compulsory school-attendance laws. Table 3 is a continuation of Table 2 and should be read in connection with it, for Table 3 relates only to the administrative details provided by law for the enforcement of the standards shown in Table 2. These two tables together are meant to summarize the regulations governing employment of children between the minimum ages permitted by law and the age of attaining majority except as regards hours of labor and compulsory school attendance, the legal provisions concerning which are summarized in Tables 4 and 5.

HOURS OF LABOR.

All laws regulating hours of labor are included except those stating the number of hours to be considered a day's work in the absence

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of contract, and those regulating periods of exposure to compressed air, prohibiting labor on Sundays, and relating to public employment. The recent "one day of rest in seven" laws are also included, both in the text and in the tabulation. Laws prescribing maximum hours of labor for railroad employees and street car employees are included in the text but are omitted in the tabulation. Meal-time regulations are included both in the text and in the tabulation. As in the case of minimum ages, the question of hours of labor is considered as it relates to all minors, of both sexes and all ages. Owing to differences among States in the ages of children whose hours are regulated, a table of hours which included only so-called child labor laws would be incomplete and misleading. For one State may have a 10-hour day for children under 16 and another an 8-hour day for children under 18 years of age. At one time California had a 9-hour day for children and an 8-hour day for all "females." A State, moreover, which has a 10-hour day for children may have an 8-hour day for all persons engaged in certain occupations, e. g., for miners. If, therefore, a cross section were made of regulations governing the hours of labor of young persons 17 years of age, it would be found that in some States they are covered by the so-called child labor law while in other States girls in certain occupations are regulated by the woman's work law, and boys, in certain other occupations—from some of which girls are usually excluded entirely, as in the case of mining—by general laws for all employees in those occupations. In order, therefore, to obtain a picture of the legal provisions relating to hours of labor of all minors, laws are necessarily included which regulate the hours of labor of females and also those which regulate the hours of labor of all employees in special occupations.

COMPULSORY SCHOOL ATTENDANCE.

All provisions requiring school attendance, whether at day, evening, or continuation schools, are included. Exemptions from school-attendance requirements are also included whenever they are of such a character as to make it possible for the exempted children to be employed, either legally or illegally. Provisions relating to the exemption of physically defective children, such as the blind and the deaf, and to the attendance of such children at special schools are omitted, and provisions permitting the substitution for school attendance of some other form of instruction during school hours are generally included in the text but omitted from the tables. The minor questions of school attendance, which are more often determined by local regulations than by State law, are omitted, as it is not possible adequately to present them in a compilation confined to State legislation. Thus provisions specifying the length of time schools shall be in session, defining regular attendance, and pre-

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scribing the studies to be taught and the reports to be made by teachers, principals, and superintendents are in general omitted.

Though not tabulated, all school census laws are included in the text provided they require census enumerators to secure the names and addresses of children. In many States where names and addresses are secured no provision is made for their use in enforcing school attendance, but obviously this information, even when collected primarily for assistance in apportioning State aid to schools, might be so used as to assist materially in the enforcement of compulsory education and child labor laws.

STREET TRADES.

The laws governing children engaging on their own account in street trades and those employed in public exhibitions of various kinds, including theatrical performances, are generally different in character from those governing their employment in manufacturing and mercantile establishments and are therefore separately tabulated in Tables 6 and 7.

Table 6 summarizes the provisions of State laws relating to street trading by children on their own account. Provisions relating to employment of children by other persons in occupations which, though they may be carried on chiefly in the streets, are not such as a child would engage in on his own account, are given only in the earlier tables. Thus laws relating to messenger boys are included in Tables 1 to 4 and are not mentioned in Table 6. So far as possible laws relating to the work of children in street trades, in so far as they relate to children hired by an employer, are given in detail in the other tables and are merely referred to in Table 6, but if the laws relate only to children engaging in work on their own account they are given only in Table 6. This table includes all State laws establishing minimum ages or ages below which badges or permits are required for engaging in street trades, such as the selling of newspapers or other articles or boot blacking, and also laws forbidding the distribution by minors of immoral literature, papers containing chiefly tales of crime, etc.

In a number of States juvenile court laws or laws providing for the care and commitment of dependent, neglected, and delinquent children include in their definitions of a dependent or neglected child any child who is found selling articles—sometimes mentioning newspapers—peddling, singing, playing musical instruments, or giving public entertainments on the streets for gain, or accompanying or assisting any person so doing. These provisions belong rather in a compilation of laws concerning dependent, neglected, and delinquent children than in one concerning child labor, and are therefore omitted from the text, but their existence and the age limits which

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they establish are noted in Tables 6 and 7. The States which declare a child dependent or neglected who is found selling articles on the street for gain are Arkansas,[1] Illinois,[2] Kansas,[3] Minnesota,[4] Missouri,[5] Nebraska,[6] Nevada,[7] and West Virginia,[8] in which the age limit is 10 years; Washington,[9] in which it is 12; and Oregon[10] and Tennessee,[11] in each of which it is 14. In Louisiana[12] a child not over 17 years of age who is found peddling any article in any street, road, or public place is considered to be delinquent, while in Michigan[13] and also in Florida[14] any such child under 12 is considered to be dependent. None of these provisions, however, are on exactly the same basis as legal prohibitions of employment in such occupations, for though in general, under this definition of dependency, any person may make complaint that a child is dependent, there is no direct mandatory provision either that children shall not work in these occupations on the streets or that specific officials or other persons shall see that children do not so work.

The work of children on the streets is frequently regulated also by municipal ordinances. This is the case not only in the larger cities in many States which have no legislative enactments on this subject, but in many cities in which such work is also governed by State laws. Table 6, therefore, does not present a complete picture of the actual degree of regulation which may be found in any special city within a State, but only of the degree of regulation prescribed by the State legislature.

PUBLIC EXHIBITIONS.

In Table 7, relating to theaters and other public exhibitions, the emphasis has been placed upon employment of children as actors or performers. In some cases general laws govern all occupations in theaters, whether as ushers, for instance, or on the stage. But the provisions concerning employment in theaters given in the other tables do not apply to employment on the stage except as specified in Table 7. In this table laws regulating hours of labor and prohibiting night work of children in all occupations are included whenever they may be applicable to employment on the stage, for if evening hours are included in the prohibition of night work a serious limitation is

[1] Arkansas: Acts of 1911, act 215, section 1.
[2] Illinois: Acts of 1915, page 368, section 1.
[3] Kansas: General Statutes 1909, section 5100.
[4] Minnesota: General Statutes 1913, sections 7162, 7178.
[5] Missouri: Acts of 1913, page 148, section 2.
[6] Nebraska: Revised Statutes 1913, section 1244.
[7] Nevada: Revised Laws 1912, section 728.
[8] West Virginia: Acts of 1915, chapter 70, section 1.
[9] Washington: Acts of 1913, chapter 160, section 1.
[10] Oregon: Lord's Oregon Laws 1910, section 4406.
[11] Tennessee: Acts of 1911, chapter 58, page 111, section 1.
[12] Louisiana: Wolff's Revised Laws Supplement 1904–1908, volume 3, page 393, section 9.
[13] Michigan: Howell's Annotated Statutes 1913, section 11644, as amended by Acts of 1915, No. 308, section 1.
[14] Florida: Compiled Laws 1914, section 1208a.

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placed upon the employment of children in theaters and public exhibitions where evening performances are given.

As has already been mentioned, the juvenile court laws which declare a child dependent or neglected who is found singing or playing musical instruments or giving public entertainments on the streets or accompanying or assisting any other person so doing are noted in this table though they are omitted in the text. In these laws 8 years is the age limit in Oklahoma [1] and Wisconsin;[2] 10 years in Arkansas,[3] Illinois,[4] Iowa,[5] Kansas,[6] Minnesota,[7] Missouri,[8] Nebraska,[9] Nevada,[10] and West Virginia;[11] 12 years in Florida,[12] Michigan,[13] and Washington;[14] 14 years in Oregon [15] and Tennessee;[16] 17 years in Louisiana;[17] 17 years for males and 18 years for females in Kentucky;[18] and 18 years in North Dakota [19] and South Dakota.[20] As in the case of the similar provisions relating to selling or peddling articles on the streets, complaint against and prosecution of a child for dependency because of engaging in these occupations is permissive and not mandatory.

MISCELLANEOUS SUBJECTS INCLUDED.

Some subjects are included in the text which are not touched upon in the tabular analysis; for example, a number of Southern States have laws declaring vagrants men who, though able to work, live upon the wages of their minor children. Far more general are the laws forbidding employment agencies to place children in violation of the child labor laws or to send women, of course including young girls, to places of bad repute. Two States, Massachusetts and New York, have legal provisions for the establishment of special public employment offices for children. A few States have laws regulating immigrants and their distribution which contain provisions for the prevention of the illegal employment of immigrant children. Other important legal provisions omitted in the tabular

[1] Oklahoma: Revised Laws 1910, volume 1, section 4412.
[2] Wisconsin: Statutes, section 573–1.
[3] Arkansas: Acts of 1911, act 215, section 1.
[4] Illinois: Acts of 1915, page 368, section 1.
[5] Iowa: Code 1897, Supplement 1913, section 254–a14.
[6] Kansas: General Statutes 1909, section 5100.
[7] Minnesota: General Statutes 1913, sections 7162, 7178.
[8] Missouri: Acts of 1913, page 148, section 2.
[9] Nebraska: Revised Statutes 1913, section 1244.
[10] Nevada: Revised Laws 1912, section 728.
[11] West Virginia: Acts of 1915, chapter 70, section 1.
[12] Florida: Compiled Laws 1914, section 1208a.
[13] Michigan: Howell's Annotated Statutes 1913, section 1164, as amended by Acts of 1915, No. 398, section 1.
[14] Washington: Acts of 1913, chapter 160, section 1.
[15] Oregon: Lord's Oregon Laws 1910, section 4406.
[16] Tennessee: Acts of 1911, chapter 58, page 111, section 1.
[17] Louisiana: Wolff's Revised Laws Supplement 1904–1908, volume 3, page 393, section 9.
[18] Kentucky: Statutes 1915, section 331.e
[19] North Dakota: Compiled Laws 1913, volume 2, section 11403.
[20] South Dakota: Acts of 1915, chapter 119, sections 1 and 10.

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summaries are contained in the acts which prescribe that where women and children are employed seats shall be furnished them and separate toilets and dressing rooms shall be provided. The minimum wage laws, which were enacted in 11 States from 1912 to 1915, generally apply to children as well as to women. All these laws have been included in the text, even when they specifically mention only women, first, because they are important regulations of the employment of young girls, and second, because the welfare of mothers and potential mothers is inseparably bound up with the welfare of children. But they have not been included in the tabulation,[1] because for the immediate purpose of this publication they were considered of less importance than laws covering such questions as minimum ages, requirements for entering employment, compulsory school attendance, and hours of labor.

WOMAN'S WORK.

The net result of the process of selection and rejection here outlined is that all laws governing woman's work have been included in the text, except those relating to the recovery of wages and to the payment of wages of married women and those prescribing a period of rest before and after childbirth, which have been enacted by only four States—Massachusetts, Connecticut, Vermont, and New York. Laws of the latter type are not, of course, child labor legislation, but as they constitute the only important class of legal provisions regulating the labor of women omitted from this publication and are, indeed, the only laws in the country which specifically regulate the labor of mothers, they are inserted on page 23.

This compilation, therefore, in addition to child labor legislation, gives practically all laws governing the employment of women.

SAFETY AND SANITATION.

The conditions under which children are employed are of course regulated by many labor laws which are general in their application, making no distinction between minors and adults, and these differ widely in the various States. Of such laws the most important class consists of those relating to safety and sanitation in manufacturing, mechanical, and mercantile establishments, in tenement workshops, and in mines. Laws of general application, unless affecting one of the main topics, such as prohibition of employment or hours of labor, have been omitted. But in a few States laws relating to safety and sanitation, which apply only to establishments where children or where women and children[2] are employed, are included. Obviously,

[1] A tabular summary of the provisions of the laws enacted before 1915 is contained in the American Labor Legislation Review, Volume IV, No. 4, December, 1914.

[2] Pennsylvania has a law requiring fire drills in factories employing women or girls, which is omitted Acts of 1911, Pamphlet Laws 677.

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however, no comparison unfavorable to the other States can be drawn from the data here given on safety and sanitation.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

Attention should be called to the omission of one other class of legal provisions concerning child labor—those contained in workmen's compensation and insurance acts. Though these provisions are of decided importance in the enforcement of child labor laws, it did not seem best to give them detached from their context or without some explanation of their significance and of the significance of the court decisions concerning employers' liability for injuries to illegally employed children. For this reason the sections of workmen's compensation and insurance acts which have to do with child labor are omitted from the text, though their essential features are here summarized.

It is an established legal doctrine that if a child is illegally employed and is injured while so employed the employer can not in a suit for damages claim in defense that there was contributory negligence on the part of the child, that the injury was caused by the negligence of a fellow servant, or that the child assumed the risks of his employment. In some States if an employer has an employment certificate or an affidavit of age for a child the employment is not held to be illegal even when the child is actually under age, but in these States, as well as in those where no such documents are acceptable as excuse for employment, an employer is liable to heavy damages for injury to a child if the law, whatever it may be, has not been complied with.

On the same principle several of the new workmen's compensation acts specifically exclude from their provisions children who are illegally employed, leaving the employer in case of injury to such a child to face a suit for damages with all three of the above defenses removed. The workmen's compensation acts of Colorado,[1] Illinois,[2] Michigan,[3] Minnesota,[4] Nebraska,[5] Ohio,[6] and Wisconsin[7] include in their definitions of employees "minors who are legally permitted to work under the laws of the State," thus by implication excluding illegally employed children. A number of other States exclude an employer from the benefits of compensation acts when an injury has been caused by failure on his part to comply with the laws of the State relating to safety, but New Hampshire[8] so excludes him if the

[1] Colorado: Acts of 1915, chapter 179, section 4(e).
[2] Illinois: Acts of 1913, page 335, section 5.
[3] Michigan: Acts of First Extra Session of 1912, act No. 10, section 7.
[4] Minnesota: General Statutes 1913, section 8230, as amended by Acts of 1915, chapter 209, section 16.
[5] Nebraska: Acts of 1913, chapter 198, section 15.
[6] Ohio: Acts of 1911, page 524, section 1465-61, as amended by Acts of 1913, page 72.
[7] Wisconsin: Statutes, chapter 110a, section 2394-7.
[8] New Hampshire: Acts of 1911, chapter 163, section 2.

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injury has been caused by failure to "comply with any statute, or with any order made under authority of law." The Oregon[1] and Maryland[2] compensation acts specifically provide that they shall not be construed to "apply to workmen of less than the minimum age prescribed by law for the employment of minors in the occupation in which such workmen shall be engaged," and the compensation act of West Virginia[3] specifies that its provisions shall not apply to "persons prohibited by law from being employed." The Kentucky law of 1914, which was declared unconstitutional,[4] provided, on the other hand, that "in case any minor employee who is illegally employed shall be injured or killed in the course of his employment, his statutory guardian or his representative, if the infant is killed, may claim compensation under the terms of this act or sue as though this act had not been passed." If suit was brought under the compensation act, however, the compensation was to be paid, not from the fund, but directly by the employer, and the award was to be a sum equal to that payable from the compensation fund, but not to exceed $2,000. In Washington[5] and Nevada[6] children who are illegally employed are evidently expected to recover from the State insurance funds, but it is provided that "if any workman * * * be at the time of the injury of less than the maximum [sic] age prescribed by law for the employment of a minor in the occupation in which he shall be engaged when injured" the employer must pay an additional sum as penalty. In Washington he is required to pay into the accident fund 50 per cent of the payment made to or due the child, and in Nevada he is liable to a penalty of from $300 to $2,000. In Wisconsin[7] compensation is increased 15 per cent in case the injury has been caused by the employer's failure to comply with any statute of the State or with any lawful order of the industrial commission.

Evidently, then, a decided tendency is to be noted in workmen's compensation legislation to penalize the employer of an illegally employed child, either by making him fully liable for injury under the old liability laws with all defenses removed or by imposing on him a heavy fine in addition to his regular compensation or insurance payments. As juries in such cases are likely to impose severe penalties, an employer, whenever he employs a child illegally, runs a risk far greater than that of a fine under the child labor law. One

[1] Oregon: Acts of 1913, chapter 112, section 11.
[2] Maryland: Acts of 1914, chapter 800, section 33.
[3] West Virginia: Hogg's Code 1913, chapter 15F, section 9, as amended by Acts of 1915, chapter 9, section 9.
[4] Kentucky: Acts of 1914, chapter 73, section 47. This act was declared unconstitutional in Kentucky State Journal Co. v. Workmen's Compensation Board, 161 Ky., 562; 170 S. W., 1166 (1914).
[5] Washington: Acts of 1911, chapter 74, section 9.
[6] Nevada: Acts of 1913, chapter 111, section 39.
[7] Wisconsin: Statutes, chapter 110a, section 2394-9.

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conviction in such a case, therefore, is an object lesson which usually assists for several years in the enforcement of the child labor law in that State.

ENFORCEMENT AND PENALTIES.

Specific provisions for enforcement and specific penalties for violation of all laws given are included except when the penalty falls upon the child rather than upon the employer or directly upon the parent, and is imposed through court proceedings against the child or jointly against the parent and child. This latter kind of penalty, which consists usually in placing the child in some way under the jurisdiction of a public or private agency and which therefore falls indirectly upon the parent, seemed to belong more properly in a publication devoted to laws relating to dependent and delinquent children than in one devoted to laws relating to the employment of children and therefore is generally omitted. Otherwise, if a law as here given is not accompanied by any penalty or method of enforcement, it may be presumed that none is specifically provided. Though this lack of provision does not mean that a court in its discretion can not impose a penalty or that a person violating the law can not be arrested and prosecuted by the proper authorities, it does mean that in actual practice the law is not likely to be effectually enforced.

The details of organization of inspection systems with relation to other activities of similar character, the appropriations for inspection departments, and the number, salaries, and qualifications of inspectors and school-attendance officers are generally omitted. The omission of these points was not due to any lack of appreciation of their importance, but to two reasons of an entirely different character. In the first place, as the enforcement of child labor laws is in most States only a small part of the work of factory and mine inspectors and of school-attendance officers, details of this character are meaningless without a complete presentation of all the duties and functions of these officials—a presentation which would lead far afield into the entire subject of enforcement of labor and compulsory education laws. Details of the character above mentioned are given, therefore, only in case the departments or officials have no duties except in relation to the employment of children. In the second place, these details, as derived solely from laws, do not give a picture of actual conditions and are therefore of little value for purposes of comparison. Thus one State may specify exactly how the inspection system shall be organized, and another may give broad discretionary powers to administrative officers. In the same way one State may specify in its laws exactly how many inspectors shall be employed, while another may authorize the employment of as many as necessary, the number being limited only by the possibilities contained in the yearly

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appropriation. Laws, moreover, give a very inadequate idea of the actual qualifications of inspectors, and appropriations are usually made for many and various purposes other than the enforcement of laws relating to the employment of children. On no single point, it is true, do laws alone tell the full story, but on these particular subjects a comparison between States based merely on the laws would be too inaccurate in fact to be of any value. On these and many other points a series of detailed studies now in progress of the administration of child labor laws in different States will supplement this compilation.

In a few States societies for the prevention of cruelty to children or to animals and children have been given by statute power to enforce "any law relating to children." These societies, however, are merely voluntary organizations of private individuals, and, though they have the power, have no duty of law enforcement. Their powers, moreover, are so general that they are probably not exercised in child labor cases much more frequently than are the similar powers of private citizens. Laws relating to such societies are included, therefore, only in case the society, as in Montana, is given specific authority to inspect establishments where children are employed.

COURT PROCEDURE.

An important detail of the method of enforcement is the question of who has power to bring prosecutions and what court has jurisdiction over cases—in short, the legal procedure incident to the imposition of penalties. As these details of procedure are frequently omitted in the laws here given because they are determined by the general code of the State relating to court procedure, and as a complete study of the subject would be complicated and technical, no attempt has been made to include all laws bearing upon this subject. In general, however, public attorneys have the power to bring prosecutions. In some States they must bring prosecutions whenever complaint is made by an enforcing official, in other States upon complaint of any person, and in still others they can use their discretion or suit their convenience. In 26 States the enforcing officials can themselves, either directly or through an attorney, bring cases before a court. These States are:

Arizona.
Arkansas.
California.
Colorado.
Delaware.
Illinois.
Indiana.
Louisiana.
Maryland.
Massachusetts.
Michigan.
Minnesota.
Missouri.
Montana.
New Hampshire.
New Jersey.
New York.
Ohio.
Pennsylvania.
Porto Rico.
Rhode Island.
South Carolina.
Tennessee.
Virginia.
West Virginia.
Wisconsin.

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As to the courts which have jurisdiction over child labor cases, the judicial systems of the States differ so widely that an enumeration of the names of the courts having original jurisdiction could have little significance. Usually a case may be brought in the first instance either before a justice of the peace or before a county court, and sometimes before a circuit or district court. Juvenile courts do not in most States have jurisdiction over cases in which prosecutions are against employers, but only over those in which prosecutions are against children or their parents, as in case of violation of a street trades law.

COURT DECISIONS.

Decisions of the higher State courts, of the Federal circuit courts, and of the United States Supreme Court on laws contained in this compilation are noted in connection with the sections or statutes affected by them. In a few cases important decisions of lower courts are also noted. Opinions of courts and of attorneys general upon certain laws are included as showing, in the absence of decisions, the interpretation put upon these laws. Rulings and other regulations made by administrative authorities, however, are omitted, even when such rulings are of practically the same character and authority as the opinions quoted or are issued by virtue of special power to make regulations concerning certain conditions of employment. In the important industrial States these rules and regulations are often very detailed and, except in the few cases where they constitute an absolute extension instead of merely an interpretation of the law, appear to belong in the special studies already mentioned of the administration of the laws of the different States.

Court decisions and opinions upon the laws here included fall into three main classes—those concerning constitutionality, those containing interpretations of the application and meaning of words and sections, and those relating to liability for accidents. The last class of decisions has already been discussed, and interpretative decisions, which cover a wide variety of subjects, need only be mentioned as included.

As for constitutionality, it is generally recognized that laws regulating the employment of minors are on a different basis from those regulating the employment of adults. Child labor laws are founded upon the principle of the parental relation of the State toward persons whose legal rights are limited. No right to contract stands in the way of the exercise by the State of its police power to protect the health and safety of its children, and laws passed in the exercise of that power are not open to attack as class legislation. The State is acknowledged to have a supreme right to the guardianship of children which limits even the natural rights of parents if these parental rights

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are in conflict with the welfare of the children or of society. The constitutionality of child labor laws appears to have been finally and definitely established by the recent decision of the United States Supreme Court upholding the Illinois law prohibiting employment under 16 years of age in trades and occupations classified by the legislature as dangerous and injurious.[1]

Some of the laws here included, however, regulate the hours of labor of both women and minors, and others regulate the hours of all employees. Any of these acts if they applied only to minors would doubtless be held valid; but the constitutionality of laws which include adults as well as minors has been successfully contested in the courts. So far as women are concerned, the right of the State to limit hours of labor appears to have been finally established by the decision of the United States Supreme Court on the Oregon law.[2] The constitutionality of laws regulating the hours of labor of miners has also been affirmed by the United States Supreme Court,[3] and that of laws regulating the hours of labor of railroad employees is generally recognized, except when a State law is found to be in conflict with the Federal law on this subject.[4] Of the other laws relating to hours of labor, though none are here included which have been finally overthrown in the courts, a number upon which no decision has yet been rendered may be considered as of doubtful constitutionality.

METHOD OF PRESENTATION.

A few words will suffice to explain the general method of presentation adopted in this compilation. Both in the tables and in the text particular prominence is given to the occupations or establishments to which the act applies as well as to the means provided for enforcement and to the penalties incurred for violation. In the tables one column is always given to the occupations or establishments to which the provision refers and in the text the application of the act constitutes the main heading, with subordinate subject headings and more detailed section headings. In the text the term "regulated occupations" is used as a heading to denote enforcement provisions covering all occupations regulated by the act in which the section or sections under consideration occur. On the other hand, the term "all regulated occupations" is used as a heading to denote general enforcement provisions covering all or most of the laws of the State in question which are included in this compilation.

This method was adopted in the belief that no comparison between States is fair which fails to give the exact application of acts. One

[1] Sturges & Burn Mfg. Co. v. Beauchamp, 250 Ill., 303; 231 U. S., 320 (1913).
[2] Muller v. Oregon, 48 Oreg., 252; 208 U. S., 412 (1905).
[3] Holden v. Hardy, 18 Utah, 383; 169 U. S., 366 (1898).
[4] Erie R. R. Co. v. People of the State of New York, 198 N. Y., 369; 233 U. S., 677 (1914). People v. N. Y. C. & H. R. R. Co., 163 N. Y., App. Div., 79 (1914).

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State may have a child labor law which applies only to cotton mills and another may have one which applies to a long list of occupations and industries, including practically any place where children could possibly be employed. On the other hand, it can not be inferred without reference to the compulsory education law that a child labor act which specifies only manufacturing, mechanical, and mercantile establishments, for example, is more limited in its actual application than one which enumerates many other specific places of employment. In many States the compulsory education act, by making school attendance compulsory up to 14 years of age and permitting absence from school up to 16 years of age only if the child has an employment certificate, in practice extends the child labor act to cover all occupations during school hours. In this question of occupations regulated, indeed, as in many other questions concerning the employment of children, the compulsory education law of a State must be considered in connection with the child labor law.

Owing to the practical impossibility of splitting up laws in such a way as to bring together all sections relating to the same subject and at the same time make the exact application of enforcement and penalty sections clear, a brief subject index, which will serve the purpose of cross reference, has been inserted at the head of the text of the laws of each State.

At the end of the volume will be found an analytical index by States.

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EMPLOYMENT OF WOMEN BEFORE AND AFTER CHILDBIRTH.

CONNECTICUT.

It shall be unlawful for the owner, proprietor, manager, foreman, or other person in authority, of any factory, mercantile establishment, mill, or workshop knowingly to employ a woman or permit a woman to be employed therein within four weeks previous to confinement or four weeks after she has given birth to a child.

Any person who shall violate any provision of this act shall be fined not more than twenty-five dollars, or imprisoned not more than thirty days, or both.—[Acts of 1913, Chapter 112, sections 1 and 2.]

MASSACHUSETTS.

No woman shall knowingly be employed in laboring in a mercantile, manufacturing or mechanical establishment within two weeks before or four weeks after childbirth.

The foregoing section shall be included in the notice with regard to the employment of women now required to be posted in mercantile, manufacturing and mechanical establishments, and the provisions thereof shall be enforced by the district police.

Violations of section one of this act shall be punished by a fine not exceeding one hundred dollars.—[Acts of 1911, Chapter 229, sections 1–3.]

NEW YORK.

It shall be unlawful for the owner, proprietor, manager, foreman or other person in authority of any factory, mercantile establishment, mill or workshop to knowingly employ a female or permit a female to be employed therein within four weeks after she has given birth to a child.—[Consolidated Laws 1909, Chapter 31, Labor, section 93-a, as added by Acts of 1912, Chapter 331.]

VERMONT.

No woman shall knowingly be employed in laboring in a manufacturing or mechanical establishment within two weeks before or four weeks after childbirth. This provision shall be included in the notice with regard to the employment of women required to be posted as hereinbefore provided.—[Acts of 1912, Number 85, section 3.]

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List of codes, revisions, or compilations used, and of latest session laws examined.

State.	Code, revision, or compilation used.	Latest session laws examined.	Legislature meets next in regular session.
Alabama	Code 1907	[1] 1915	1919
Alaska	U. S. Statutes at Large	1915	1917
	Compiled Laws 1913		
Arizona	Revised Statutes 1913	[2] 1915	1917
Arkansas	Kirby's Digest 1904	1915	1917
California	Session Laws 1889	1915	1917
	Deering's General Laws 1909		
	Deering's Penal Code 1909		
	Deering's Civil Code 1909		
	Deering's Political Code 1909		
Colorado	Mills' Annotated Statutes, revised edition 1912	1915	1917
Connecticut	General Statutes, revision 1902	1915	1917
Delaware	Revised Code 1915	1915	1917
District of Columbia	U. S. Statutes at Large	([3])	1915
	Code 1911		
Florida	Compiled Laws 1914	1915	1917
Georgia	Code 1914	1915	1916
Hawaii	Revised Laws 1915	1915	1917
Idaho	Revised Codes 1908	1915	1917
Illinois	Hurd's Revised Statutes 1913	1915	1917
Indiana	Burns' Annotated Statutes 1914	1915	1917
Iowa	Code 1897		1917
	Code 1897, Supplement 1913		
	Code 1897, Supplemental Supplement 1915		
Kansas	General Statutes 1909	1915	1917
Kentucky	Statutes 1915		1916
Louisiana	Wolff's Revised Laws 1904	[4] 1915	1916
	Wolff's Revised Laws, Supplement 1904–1908		
Maine	Revised Statutes 1903	1915	1917
Maryland	Public Local Laws 1888		1916
	Annotated Code 1911 and 1914		
Massachusetts	Revised Laws 1902	1915	1916
Michigan	Howell's Annotated Statutes 1913	1915	1917
Minnesota	General Statutes 1913	1915	1917
Mississippi	Code 1906	1914	1916
Missouri	Revised Statutes 1909	1915	1917
Montana	Revised Codes 1907	1915	1917
Nebraska	Revised Statutes 1913	1915	1917
Nevada	Revised Laws 1912	1915	1917
New Hampshire	Public Statutes 1901	1915	1917
New Jersey	Compiled Statutes 1910	[2] 1915	1916
New Mexico	U. S. Statutes at Large	1915	1917
	Statutes 1915		
New York	Consolidated Laws 1909 and 1910	1915	1916
North Carolina	Pell's Revisal 1908	1915	1917
	Pell's Revisal 1908, Supplement 1913		
North Dakota	Compiled Laws 1913	1915	1917
Ohio	Page and Adams' Annotated General Code 1912	1915	1917
Oklahoma	Revised Laws 1910	1915	1917
Oregon	Lord's Oregon Laws 1910	1915	1917
Pennsylvania	Stewart's Purdon's Digest 1903	1915	1917
	Stewart's Purdon's Digest, Supplement 1905–1909		
	Stewart's Purdon's Digest, Supplement 1912		
Philippine Islands	Penal Code 1911	[5] 1914	1915
Porto Rico	Revised Statutes and Codes 1911	1915	1916
Rhode Island	General Laws 1909	1915	1916
South Carolina	Code 1912	1915	1916
South Dakota	Revised Codes 1903	1915	1917
Tennessee	Shannon's Code 1896	1915	1917
	Shannon's Code 1896, Supplement 1904		
Texas	Revised Statutes 1911	[2] 1915	1917
Utah	Compiled Laws 1907	1915	1917
Vermont	Public Statutes 1906	1915	1917
Virginia	Code 1904	[4] 1915	1916
Washington	Pierce's Code 1912	1915	1917
West Virginia	Hogg's Code 1913	[2] 1915	1917
Wisconsin	Statutes 1913	1915	1917
Wyoming	Compiled Statutes 1910	1915	1917
United States	U. S. Statutes at Large	([3])	1915

[1] First and second sessions.
[2] Regular and extra sessions.
[3] Session Laws Sixty-third Congress.
[4] Extra session.
[5] To June 10, 1915.

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ABBREVIATIONS USED IN REFERENCES.

A	Act.
A C	Annotated Code.
App	Appendix.
art	article.
B A S	Burns' Annotated Statutes.
C	Chapter; Code.
Civ	Civil.
Civ C	Civil Code.
C L	Compiled Laws; Consolidated Laws.
Con	Constitution.
Crim	Criminal.
Crim C	Criminal Code.
C S	Compiled Statutes.
D Civ C	Deering's Civil Code.
D G L	Deering's General Laws.
D Pen C	Deering's Penal Code.
D Pol C	Deering's Political Code.
H A S	Howell's Annotated Statutes.
H C	Hogg's Code.
H R S	Hurd's Revised Statutes.
G L	General Laws.
G S	General Statutes.
G S r	General Statutes revision.
K D	Kirby's Digest.
L O L	Lord's Oregon Laws.
M A S r e	Mills' Annotated Statutes, revised edition.
p	page.
P & A A G C	Page and Adams' Annotated General Code
P C	Pierce's Code.
Pen	Penal.
Pen C	Penal Code.
P L	Pamphlet Laws.
P L L	Public Local Laws.
Pol	Political.
P S	Public Statutes.
P R	Pell's Revisal.
pt	part.
R C	Revised Code; Revised Codes.
R Civ S	Revised Civil Statutes.
R Crim S	Revised Criminal Statutes.
R L	Revised Laws.
R S	Revised Statutes.
R S & C	Revised Statutes and Codes.
s	section.
S C	Shannon's Code.
S P D	Stewart's Purdon's Digest.
S Supp	Supplemental Supplement.
St	Statutes.
Supp	Supplement.
t	title.
U S Stat L	United States Statutes at Large.
v	volume.
W R L	Wolff's Revised Laws.

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ABBREVIATIONS USED IN COURT DECISIONS.

App. Div.	Appellate Division Reports (N. Y.).
Atl.	Atlantic Reporter.
Cal. App.	California Appellate Reports.
C. C. A.	Circuit Court of Appeals.
D. R.	District Reports (Pa.).
Fed.	Federal Reporter.
Ga. App.	Georgia Appeals.
Ill. App.	Illinois Appeals.
Ind. App.	Indiana Appeals.
Misc.	Miscellaneous Reports (N. Y.).
Mo. App.	Missouri Appeal Reports.
N. E.	Northeastern Reporter.
N. W.	Northwestern Reporter.
N. Y. S.	New York Supplement.
Ohio Cir. Ct.	Ohio Circuit Court Reports.
O. F. D.	Ohio Federal Decisions.
O. N. P.	Ohio Nisi Prius Reports.
O. N. P. N. S.	Ohio Nisi Prius Reports, New Series.
Pac.	Pacific Reporter.
Pa. Co. C.	Pennsylvania County Court Reports.
Pa. Super. Ct.	Pennsylvania Superior Court Reports.
S. E.	Southeastern Reporter.
So.	Southern Reporter.
S. W.	Southwestern Reporter.
U. S.	United States Reports.

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ANALYTICAL TABLES.

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These analytical tables are published both in the complete volume and in the separate reprint entitled Child Labor Legislation in the United States: Separate No. 1.—Analytical Tables.

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without an employment certificate.
antile establishments on Satu

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as between 6 a. m. and 8 p. m., but employment after 8 p. m.

or details, see Table 4, B–II k.

n establishments, including to manufacture of cigars in cigar store or factory.

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TABLE 1.—MINIMUM AGE

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
ALABAMA [For street trades, see Table 6] [For public exhibitions, see Table 7] 1915 p 193 s 1, 4, 5, 6, 14, 17 [For earlier laws prohibiting the employment of boy under 14 or girl of any age in any mine, see Code 1907 C 30 s 1002, 1035, C 255 s 7418, and 1911 p 500 s 5, 108, 110]	A Boy 12 [Employment under age specified in B, below, permitted only "during such time as the public schools are not in session"]	The following in any city of less than 25,000 according to the latest Federal census: Mercantile establishment Business office	1. Duty State factory inspector and his deputies 2(a). First offense Minimum—$10 Maximum—$100 2(a). Subsequent offense Minimum—$100 Maximum—$500	A
	B 13 (between September 1, 1915 and September 1, 1916) 14 (after September 1, 1916)	Any gainful occupation other than as tabulated in A, above *Exemptions:* Agriculture Domestic service	1. Same as in A, above 2. Same as in A, above	B
	C 16	Certain dangerous, etc., occupations, including. Work at certain machines, etc. Work in certain processes, including those in which dangerous or poisonous acids are used Manufacture of paints, etc. Employment upon any railroad, whether steam, electric, hydraulic Employment upon any vessel or boat engaged in navigation or commerce within the jurisdiction of the State Mine [See note in column I] Coal breaker Quarry Assorting, manufacturing, or packing tobacco Employment "upon the stage of any theater or concert hall, or in any connection with any theatrical performance or other exhibition or show"	1. Same as in A, above 2. Same as in A, above	C
	D 21	Establishment where intoxicating liquors are manufactured or sold	1. Same as in A, above 2. Same as in A, above	D

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I		Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
ALABAMA—Continued 1911 p 268 s 33, 34	E	Any minor Girl of any age	Selling or serving spirituous, vinous, or malt liquors [See provisions in D, above]	1. [No specific provision] 2(a). First offense Minimum—$50 Maximum—$500 2(a). Subsequent offense Minimum—Hard labor or imprisonment for 30 days Maximum—Hard labor or imprisonment for 6 months	E
ALASKA 1913 C 72 s 8 (as added by 1915 C 69), 9½ (as added by 1915 C 69), 20 (as added by 1915 C 69), 30 (as added by 1915 C 69)	A	Boy 16	Underground in a mine	1. Duty Territorial mining inspector and, in his absence, Federal mining inspector 2(a). Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$1,000 or imprisonment for 1 year, or both	A
Compiled Laws 1913 s 2587	B	Any minor Girl of any age	Selling, giving, furnishing, or distributing intoxicating drinks, or any admixture thereof, ale, wine, or beer	1. Duty District judge: Should it appear that licensee permits "any female or minor in or about the rooms where liquor is sold or served" United States marshals and their deputies and United States attorneys and their deputies: Must investigate and report violations 2(a). First offense Minimum—$50 Maximum—$200 (In addition to above penalty, license shall be revoked and license moneys forfeited) 2(a). Subsequent offense (during year for which license is issued) Minimum—$50 plus 25 per cent of fine imposed for offense immediately preceding Maximum—$200 plus 25 per cent of fine imposed for offense immediately preceding (In addition to above penalty, license shall be revoked, and no license shall thereafter be granted)	B

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ARIZONA **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **Constitution art 18 s 2** **Revised Statutes 1913 Civil Code title 14 C 2 s 3110, 3111, 3134-3136**	**A Boy 10** **[Work 10 to 14 allowed only outside school hours and in work not harmful physically or morally, on "license"—See Tables 2 and 3, B]**	**Occupations or establishments same as in B, below, subject to limitation tabulated in column II [This limitation is contained in a proviso to section 3110, which fixes a minimum age of 14 in the employments listed in B, but it is not clear whether or not the proviso refers to employment or merely to child working on his own account]**	1. Same as in B, below 2. Same as in B, below	A
	B Girl 14	**Mercantile establishment** **Mill** **Factory** **Workshop** **"Tenement house, manufactory or workshop"** **Store** **Business office** **Telegraph office** **Telephone office** **Restaurant** **Bakery** **Barber shop** **Apartment house** **Bootblack stand or parlor** **Distribution or transportation of merchandise** **Distribution or transportation of messages**	1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school-attendance officers: Shall make complaints for offenses and prosecute violations; May inspect establishments State superintendent of public instruction, other authorized inspectors or school-attendance officers: Shall demand proof of age of child apparently under 16 without employment certificate and order child discharged if not over 16 1. Power only Any person: May prosecute 2(a). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B
	C 14	**Any business or service during school hours**	1. Same as in B, above 2. Same as in B, above	C
Con art 18 s 2 **R S 1913 Civ C t 14 C 2 s 3112-3114, 3134-3136** **[For law prohibiting employment of child under 16 in certain injurious occupations, including peddling, see R S 1913 Penal Code Pt I t 9 C 2 s 252, 253]**	**D 16**	**Certain dangerous, etc., occupations, including:** Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Oiling, wiping, or cleaning machinery, or assisting therein Manufacture of paints, etc. Mine Coal breaker Quarry Smelter Ore-reduction works	1. Same as in B, above 2. Same as in B, above	D

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
ARIZONA—Continued [For other provisions relating to mine, quarry, smelter, ore-reduction works, and saloon, see provisions in E, F, H, and I, below]	D—Continued	Laundry Tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled Hotel Theater Concert hall Drug store Saloon Place of amusement Bowling alley Any trade, process of manufacture, or occupation, or method of carrying on aforesaid, determined by State board of health to be sufficiently dangerous to the lives or limbs, or injurious to the health or morals of children under 16 employed therein to justify their exclusion therefrom [See also Con art 18 s 2]		D
R S 1913 Civ C t 14 C 2 s 3127, 3128, 3134-3136	E 18	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc. Blast furnace Smelter Ore-reduction works Running or managing elevator or lift Oiling hazardous and dangerous machinery in motion Railroad brakeman, fireman, engineer, motorman, or conductor Any trade, process of manufacture, or occupation, or method of carrying on aforesaid, determined by State board of health to be sufficiently dangerous to the lives or limbs, or injurious to the health or morals of children under 18 employed therein to justify their exclusion therefrom	1. Same as in B, above 2. Same as in B, above	E

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R S 1913 Civ C t 34 C 3 s 4053, 4062, 4079, 4091	F Boy 18	Underground in mine (mining ore, coal, or other metalliferous or nonmetalliferous product)	1. Duty State mine inspector or his deputy: Must "inspect and ascertain what means are taken to comply with provisions" 2(a). Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$300 or imprisonment for 1 year, or both	F
R S 1913 Civ C t 9 C 11 s 2348 R S 1913 Penal Code pt 1 t 11 s 403, 404	G 18	Railroad telegraph or telephone operator whose work is connected with the movement of trains	1. Duty Corporation commission 2(a). Each offense Minimum—$100 Maximum—$1,000	G
R S 1913 Pen C pt 1 t 9 C 2 s 254 [Constitutional prohibition adopted Nov. 3, 1914; in effect Jan. 1, 1915]	H Any minor Girl of any age	Serving drinks, etc., in a saloon	1. [No specific provision] 2(a). Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$300 or imprisonment for 180 days, or both	H
R S 1913 Civ C t 14 C 2 s 3115, 3129, 3134-3136	I Girl of any age	Mine Quarry Coal breaker Employment compelling constant standing	1. Same as in B, above 2. Same as in B, above	I
ARKANSAS [For street trades, see Table 6] [For public exhibitions, see Table 7] 1914 A 1 s 1, 11, 13 [For earlier law which might apply to children exempted by provisions in column III, see 1907 C 456 s 1 and 1913 A 322 s 12]	A 14	Any remunerative occupation *Exemptions:* During school vacation: Children under 14 may be employed by their parents or guardians in occupations owned or controlled by them	1. Duty State commissioner of labor and statistics Factory inspectors Mine inspectors Agents of humane society Probation officers Truant officers "Other authorized inspectors" 1. Power only Any person: May make and prosecute complaints 2(a). Any offense Minimum—$5 Maximum—$100	A
1909 A 170 s 1, 2, 4, 5, 6 1913 A 322 s 12 [The provisions tabulated in B appear to be at least partially superseded by those tabulated in C, below, which belong to a later law]	B 14	Any immoral, etc., purpose or practice Any business or vocation injurious to the health or dangerous to the life or limb of child under 14	1. Power only State commissioner of labor and statistics Justices of the peace Incorporated societies for the prevention of cruelty to animals 2(a). First offense Maximum—$100 or imprisonment for 3 months, or both 2(a). Subsequent offense Maximum—$200 or imprisonment for 6 months	B

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TABLE 1.—MINIMUM AGE—Continued.

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
ARKANSAS—Continued 1914 A 1 s 2, 3, 4, 11, 13 [Statutory prohibition in effect Jan. 1, 1916]	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids or gases are used Oiling, wiping, or cleaning machinery or assisting therein Employment upon any railroad, whether steam, electric, or hydraulic Mine Coal breaker Quarry Bowling alley Pool room Billiard room "Saloon, resort or bar where intoxicating liquors of any kind are sold or dispensed" Employment upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show Any occupation "dangerous to the life and limb, or injurious to the health and morals" of child under 16 Any occupation determined by State board of health (said determination subject to appeal to State or county court) to be sufficiently dangerous to the life or limb or injurious to the health or morals of children under 16 to justify their exclusion therefrom	1. Same as in A, above 2. Same as in A, above	C
Kirby's Digest 1904 s 5343, 5347 (as amended by 1905 A 225 s 3), s 5354 (as amended by 1907 A 74 s 5) [This provision also prohibits employment of boy under 14, and of boy under 16 if illiterate, but in this particular, as well as in regard	D Girl of any age	Coal mine where 10 or more men are employed	1. Duty State mine inspector 2(a). Any offense Minimum—$25 (Each day's violation a separate offense)	D

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to girls under 16, it appears to be superseded by 1914 A 1 s 4—See provisions in C, above]				
CALIFORNIA [For street trades, see Table 6] [For public exhibitions, see Table 7] Deering's General Laws 1909 A 1611 (as amended by 1915 C 625) s 1, 4–6, 13–15 D G L 1909 A 1611 s 16–17 (as added by 1915 C 625)	A 12 [Employment 12 to 14 allowed only on vacation permit, and 14 to 15 only on vacation, graduate, or poverty permit to work—See provisions in A, B, and C, Tables 2 and 3]	Manufacturing establishment Mechanical establishment Mercantile establishment Workshop Office Laundry Place of amusement Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages Any other place of labor *Exemptions:* During time public schools are not in session or during other than school hours: Agricultural, horticultural (including curing and drying, but not canning fruits), and viticultural labor Domestic labor	1. Duty State bureau of labor statistics 1. Power only Attendance officers Probation officers 2(a). Each offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (The above penalty is found in D G L 1909 A 1611, as amended by 1915 C 625 s 13; the following penalty is given in section 16 of the same law, as added by 1915 C 625) 2(a). Any offense Maximum—$50 or imprisonment for 60 days, or both	A
	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids, etc., are used Manufacture of paints, etc. Oiling, wiping, or cleaning machinery, or assisting therein [See provisions in D, below] Employment on steam, electric, or hydraulic railroad Employment on vessel or boat engaged in navigation or commerce within the jurisdiction of the State Mine Quarry Coal breaker Assorting, manufacturing, or packing tobacco Bowling alley Pool or billiard room Any other occupation dangerous to the life or limb or injurious to the health or morals of child under 16 Any trade, process of manufacture, or occupation, or any particular method of carrying on same, in which the employment of children under 16 is not already forbidden by law and which may be determined by State bureau of labor statistics to be sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under 16 to justify their exclusion therefrom—such determination to be subject to appeal to superior court of State	1. Same as in A, above 2. Same as in A, above	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
CALIFORNIA—Continued Deering's Penal Code 1909 s 272, 273, 273e, 273f 1915 C 484 s 1 [Proprietor of saloon, etc., is prohibited by Deering's Penal Code 1909 s 397b from permitting minor under 18 to visit such place, but section does not apply to parents of such children, or to guardians of their wards]	C 16	Certain dangerous, etc., occupations, including: Any business or vocation injurious to the health or dangerous to the life or limb of child under 16 Any immoral, etc., purpose or practice Peddling	1. Power only Commissioner of State bureau of labor statistics: Shall have power to enforce all labor laws the enforcement of which is not specifically vested in some other officer 2(a). Any offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 6 months, or both	C
	D 18	Sending minors in any occupation to saloons, immoral places, etc.	1. Same as in C, above 2(a). Any offense Violation a misdemeanor	D
	E Any minor	Sending minors by telephone company, or company delivering letters, packages, or other articles, to immoral places, etc.	1. Same as in C, above 2. Same as in D, above	E
1913 C 234 s 1–19	F [Power of commission extends over women and minors]	The industrial welfare commission has power to fix standard conditions of labor demanded by health and welfare of women and minors engaged in any occupation, trade, or industry	[See column III]	F
COLORADO [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition adopted Nov. 3, 1914; in effect Jan. 1, 1916] Mills' Annotated Statutes revised edition 1912 s 537, 657–659, 667, 670, 672, 673	A 12 [Employment 12 to 14 allowed only during vacation on vacation permit—See Tables 2 and 3, E]	Any "gainable" occupation in: Manufacturing establishment Mercantile institution Factory Workshop "Theater, concert hall or place of amusement where intoxicating liquors are sold" Store Office Hotel Laundry Bowling alley Passenger or freight elevator [See provisions in C, below]	1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in most regulated employments [For list, see M A S r e 1912 s 667] State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor, * * * employment of females, * * * mining, and all other laws protecting the life, health, and safety of employees"	A

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1915 C 180 s 11 [Proprietor of saloon, etc., is prohibited by M A S r e 1912 s 1942 from permitting any minor to frequent such place unless accompanied by parent or guardian]		Messenger for any of the above Driver for any of the above *Exemptions:* Provision does not apply to. Employment in fruit orchard, garden, field, or farm (permit required, if for other than own parents—See Tables 2 and 3, D)	2(a). First offense Minimum—$5 Maximum—$100 2(a). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	
	B 14	Any work for wages or other compensation "during any portion of any month when the public schools * * * are in session" *Exemptions:* Same as in A, above [But compulsory school-attendance requirements would appear practically to prohibit such employment during school hours—See Table 5, A]	1. Same as in A, above 2. Same as in A, above	B
	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. "Underground works or mine, in or about the surface workings thereof" Smelter Operating passenger or freight elevator Any business or any place, situation, or vocation injurious to health or morals, or dangerous to life or limb of child under 16 Any illegal or immoral, etc., purpose or practice	1. Same as in A, above 2. Same as in A, above	C
	D Girl 16	Employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	D
M A S r e 1912 s 537 1913 C 56 s 38, 108, 172 1915 C 180 s 11	E Boy 16 Girl of any age	Coal mine *Exemptions:* Employment in mine office in clerical capacity	1. Duty Chief coal-mine inspector or his deputies Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 2(a). Any offense Maximum—$1,000 or imprisonment for 1 year, or both (Each day's violation a separate offense)	E
M A S r e 1912 s 537, 6166, 6167 1915 C 180 s 11	F 18	Telegraph operator whose work is connected with the movement of trains	1. Duty Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 2(a). Each offense Minimum—$100 Maximum—$1,000	F

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
CALIFORNIA—Continued Deering's Penal Code 1909 s 272, 273, 273e, 273f 1915 C 484 s 1 [Proprietor of saloon, etc., is prohibited by Deering's Penal Code 1909 s 397b from permitting minor under 18 to visit such place, but section does not apply to parents of such children, or to guardians of their wards]	C 16	Certain dangerous, etc., occupations, including: Any business or vocation injurious to the health or dangerous to the life or limb of child under 16 Any immoral, etc., purpose or practice Peddling	1. Power only Commissioner of State bureau of labor statistics: Shall have power to enforce all labor laws the enforcement of which is not specifically vested in some other officer 2(a). Any offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 6 months, or both	C
	D 18	Sending minors in any occupation to saloons, immoral places, etc.	1. Same as in C, above 2(a). Any offense Violation a misdemeanor	D
	E Any minor	Sending minors by telephone company, or company delivering letters, packages, or other articles, to immoral places, etc.	1. Same as in C, above 2. Same as in D, above	E
1913 C 234 s 1–19	F [Power of commission extends over women and minors]	The industrial welfare commission has power to fix standard conditions of labor demanded by health and welfare of women and minors engaged in any occupation, trade, or industry	[See column III]	F
COLORADO [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition adopted Nov. 3, 1914; in effect Jan. 1, 1916] Mills' Annotated Statutes revised edition 1912 s 537, 657–659, 667, 670, 672, 673	A 12 [Employment 12 to 14 allowed only during vacation on vacation permit—See Tables 2 and 3, E]	Any "gainable" occupation in: Manufacturing establishment Mercantile institution Factory Workshop "Theater, concert hall or place of amusement where intoxicating liquors are sold" Store Office Hotel Laundry Bowling alley Passenger or freight elevator [See provisions in C, below]	1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in most regulated employments [For list, see M A S r e 1912 s 667] State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor, * * * employment of females, * * * mining, and all other laws protecting the life, health, and safety of employees"	A

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1915 C 180 s 11 [Proprietor of saloon, etc., is prohibited by M A S r e 1912 s 1942 from permitting any minor to frequent such place unless accompanied by parent or guardian]		Messenger for any of the above Driver for any of the above *Exemptions:* Provision does not apply to. Employment in fruit orchard, garden, field, or farm (permit required, if for other than own parents—See Tables 2 and 3, D)	2(a). First offense Minimum—$5 Maximum—$100 2(a). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	
	B 14	Any work for wages or other compensation "during any portion of any month when the public schools * * * are in session" *Exemptions:* Same as in A, above [But compulsory school-attendance requirements would appear practically to prohibit such employment during school hours—See Table 5, A]	1. Same as in A, above 2. Same as in A, above	B
	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. "Underground works or mine, in or about the surface workings thereof" Smelter Operating passenger or freight elevator Any business or any place, situation, or vocation injurious to health or morals, or dangerous to life or limb of child under 16 Any illegal or immoral, etc., purpose or practice	1. Same as in A, above 2. Same as in A, above	C
	D Girl 16	Employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	D
M A S r e 1912 s 537 1913 C 56 s 38, 108, 172 1915 C 180 s 11	E Boy 16 Girl of any age	Coal mine *Exemptions:* Employment in mine office in clerical capacity	1. Duty Chief coal-mine inspector or his deputies Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 2(a). Any offense Maximum—$1,000 or imprisonment for 1 year, or both (Each day's violation a separate offense)	E
M A S r e 1912 s 537, 6166, 6167 1915 C 180 s 11	F 18	Telegraph operator whose work is connected with the movement of trains	1. Duty Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 2(a). Each offense Minimum—$100 Maximum—$1,000	F

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
CONNECTICUT [For public exhibitions, see Table 7] G S r 1902 s 4707 1911 C 119 s 1	A 14	Manufacturing establishment Mechanical establishment Mercantile establishment	1. Duty State board of education or its agents School visitors Local boards of education Town school committees 2(a). Any offense Maximum—$100	A
G S r 1902 s 2119, 2121, 4707	B 14	Any occupation during school hours	1. Duty School visitors or town school committee: "Shall * * * examine into the situation of the children employed in all manufacturing establishments" and "report all violations" Agents of State board of education: Shall (if so directed by said board) "enforce the provisions of the law requiring the attendance of children at school," of which law this provision is a part 2(a). Any offense Maximum—$20 (Each week's violation a separate offense)	B
General Statutes revision 1902 s 1163 (as amended by 1915 C 175)	C 16	Any immoral, etc., purpose or practice Any business or vocation injurious to the health or dangerous to the life or limb of child under 16 Peddling	1. [No specific provision] 2(a). Any offense Maximum—$250 or imprisonment for 1 year, or both	C
G S r 1902 s 2614	D 16	Care, custody, operation, or management of elevator	1. [No specific provision] 2(a). Each offense Maximum—$25	D

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1911 C 123 s 1, 2 (as amended by 1915 C 195), 4, 5.	E 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling or assisting in oiling, wiping, or cleaning machinery while power is attached Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Mine Quarry	1. Duty State commissioner of labor and factory inspection 2(a). Any offense Maximum—$100	E
	F Girl 16	Employment requiring constant standing	1. Same as in E, above 2. Same as in E, above	F
1911 C 123 s 3, 4, 5	G 18	Care, custody, operation, or management of freight or passenger elevator running at speed of over 200 feet per minute	1. Same as in E, above 2. Same as in E, above	G
1915 C 182 s 2, 4	H 18	Public billiard room Public pool room	1. Power only Sheriff, deputy sheriff, constable, or police officer 2(a). Any offense Maximum—$50 or imprisonment for 30 days, or both	H
1913 C 11 s 1, 2 G S r 1902 s 2712, 2715	I Any minor	Employment as bartender, porter, or in any other capacity in saloon where intoxicating or spirituous liquors are kept for sale, or in the handling or delivery of such liquors *Exemptions:* Provision does not apply to: Bona fide grocery store which handles liquors as incidental to grocery business Drug store Bona fide hotel	1. Duty Prosecuting agents (appointed by county commissioners, subject to approval of a judge of the superior court) 2(a). First offense Minimum—$10 Maximum—$200 2(a). Subsequent offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 6 months, or both	I
DELAWARE [For street trades, see Table 6] [For public exhibitions, see Table 7]	A 12 [See note in column I]	Canning or packing establishment [See provisions in B, below, for employment during school hours] *Exemptions:* Establishment engaged in canning or packing perishable fruits or vegetables	1. Same as in B, below 2. Same as in B, below	A
Revised Code 1915 C 90 s 3144–3148, 3158, 3160–3163, 3177, 3180, 3181 [For permit which may be issued to child "under the age as specified" in R C 1914 C 90 s 3144–3192, which sections include the provisions tabulated in A to F, inclusive, permitting employment, see Tables 2 and 3, C]	B 14 [See note in column I]	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement-house, manufactory or workshop" Office Office building Restaurant Boarding house Bakery Barber shop	1. Duty State child labor inspector or his deputy 1. Power only Any person: May make and prosecute complaints 2(a). First offense Minimum—$5 Maximum—$50 2(a). Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
DELAWARE—Continued	B—Continued	Hotel Bootblack-stand establishment Public stable Garage Laundry Driver Brickyard Lumberyard Construction or repair of buildings Transmission of messages Any business or service during hours "when the public schools * * * are in session under the provisions of any compulsory school law of the State"	2(a). Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B
	C 14 [See note in column I]	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Oiling, wiping, or cleaning machinery in motion, or assisting therein [See provisions in D, below] Employment on steam, electric, or hydraulic railroad Employment on vessel or boat engaged in navigation or commerce within the jurisdiction of the State	1. Same as in B, above 2. Same as in B, above	C
	D 15 [See note in column I]	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids, etc., are used Blast furnace Manufacture of paints, etc. Running or management of elevator or lift Oiling or cleaning machinery in motion Mine Quarry Coal breaker Brakeman, fireman, engineer, motorman, or conductor upon any railroad Railroad telegraph operator Pilot, fireman, or engineer upon any boat or vessel Any other occupation dangerous to the life or limb or injurious to the health or morals of child under 15	1. Same as in B, above 2. Same as in B, above	D

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		Any trade, process of manufacture, or occupation, or any particular method of carrying on same, in which the employment of children under 15 is not already forbidden by law and which may be determined by State board of health to be sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under 15 to justify their exclusion therefrom—such determination to be subject to appeal to superior court of State		
	E 16 [See note in column I]	Employment upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show [But for exemption from this provision by permit in so far as it applies to "appearance" of child in connection with theatrical performance, see Table 7, A]	1. Same as in B, above 2. Same as in B, above	E
	F Girl 18 [See note in column I]	Employment requiring constant standing, unless seats are provided	1. Same as in B, above 2. Same as in B, above	F
	G 21 [See note in column I]	Saloon or barroom where intoxicating liquors are sold	1. Same as in B, above 2. Same as in B, above	G
R C 1914 C 70 s 2223, 2224	H "Minor child"	Begging Any illegal or immoral, etc., vocation Any vocation injurious to the health or dangerous to the life or limb of such child Any immoral, etc., purpose	1. Duty Justice of the peace: On complaint 1. Power only Any person: May make complaint which must be investigated 2(a). Each offense Minimum—$20 Maximum—$100	H
DISTRICT OF COLUMBIA [For street trades, see Table 6] [For public exhibitions, see Table 7] Code 1911 p 441 s 1; p 442 s 6; p 443 s 7, 10 36 United States Statutes at Large p 990 [For minimum age of 14 for employment as beggar, mendicant, or pauper, see C 1911 p 214 s 814]	A 12 [Employment 12 to 14 allowed only in occupation or employment not dangerous or injurious to health or morals on temporary poverty permit — See Tables 2 and 3, C]	Mercantile establishment Factory Workshop Store Business office Telegraph office Telephone office Restaurant Hotel Apartment house Club Theater Bowling alley Laundry Bootblack stand Distribution or transmission of merchandise Distribution or transmission of messages Any work for wages or other compensation during school hours *Exemptions:* Employment in the service of the Senate	1. Duty Child labor inspectors [2 detailed privates of police force] Truant officers: "Shall visit the establishments named" [in A–III] and ascertain violations; Shall report violations to the superintendent of schools and the corporation counsel of the District of Columbia 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Maximum—$20	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
DISTRICT OF COLUMBIA—Continued 37 U S Stat L p 997 s 9 paragraphs 3, 13, 14, 17, 18	B Any minor Girl of any age	Selling, giving, furnishing, or distributing any intoxicating liquors or any admixture thereof	1. Duty The corporation counsel of the District of Columbia or his authorized assistants: Shall prosecute upon the presentation of sworn information that law has been violated Inspector appointed by excise board: Shall make inspections under the direction of said board 2(a). First offense Minimum—$100 Maximum—$500 (In addition to above penalty, license may be revoked) 2(a). Second offense (during year of license) Minimum—$200 Maximum—$500 (In addition to above penalty, license shall be revoked)	B
FLORIDA [For street trades, see Table 6] [For public exhibitions, see Table 7] Compiled Laws 1914 s 2642b, 2642c, 2642j (as amended by 1915 C 6918), 2642l, 2642m, 2642n, 2642r, 2642t, 3728a [The provisions tabulated in A to F shall not be considered to apply to agricultural or domestic employment—C L 1914 s 2642w]	A 12	Store Office Transmission of merchandise Sale of merchandise Transmission of messages in city of 6,000 or over	1. Same as in D, below 2. Same as in D, below	A
	B 14	Mill Factory Workshop Mechanical establishment Laundry Employment on stage of theater [According to 1913 C 6488 s 4, a minimum age of 14 is apparently established for employment in mine also—See Table 2, A]	1. Same as in D, below 2. Same as in D, below	B
	C Girl 16	Occupation requiring constant standing	1. Same as in D, below 2. Same as in D, below	C

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[For earlier law fixing minimum age of 14 for employment in peddling or for injurious or immoral, etc., occupations, see C L 1914 s 3237]	D 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling, or assisting in oiling, wiping, or cleaning machinery Pin boy in bowling alley Operating, or assisting to operate, passenger or freight elevator Any occupation dangerous or injurious to health or morals or to life or limb ("As to those matters, the decision of the county physician or city health officer * * * shall be final")	1. Duty State labor inspector Grand juries: Shall be charged by county and circuit judges, at the beginning of each term of the court, to investigate violations 1. Power only Grand juries and county solicitors of criminal courts of record: "Have inquisitorial powers to investigate violations" Judicial or police officers of city or county: "May" inspect "factories, workshops, mines and mercantile establishments," and "shall" report violations Any person: May make complaint 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	D
	E 18	Cleaning machinery in motion	1. Same as in D, above 2. Same as in D, above	E
	F 21	"Pool room, billiard room, brewery, saloon, or barroom where intoxicating liquors are manufactured or sold" [See provisions in G, below]	1. Same as in D, above 2. Same as in D, above	F
1915 C 6860 s 4, 13	G Any minor Girl of any age	Place where intoxicating liquors, wines, or beers are sold by retail or wholesale	1. [No specific provision] 2(a). Any offense Maximum—$1,000 or imprisonment for 12 months (In addition to above penalty, license shall be forfeited)	G
GEORGIA [For public exhibitions, see Table 7] [Statutory prohibition enacted Aug. 5, 1907; in effect Jan. 1, 1908. This statute (Code 1910, v 2, s 426–428) apparently renders inop-	A 12 [Employment 12 to 14 allowed only on temporary poverty certificate—See Tables 2 and 3, B]	Manufacturing establishment Mill Factory Laundry Place of amusement	1. Duty State commissioner of [commerce and] labor and his authorized assistants 2(a). Any offense Maximum—$1,000, or imprisonment for 6 months, or work in chain gang for 12 months—any one or more of these punishments	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
GEORGIA—Continued erative the provision contained in s 445, v 3, C 1895, prohibiting the employment of any minor in saloons, etc., and making the violation a misdemeanor] Code 1914 Political s 2141 C 1914 Civil s 3149(a), 3149(f), 3149(g) C 1914 Penal s 756, 757, 1065	B 12	Any immoral, etc., practice or purpose	1. Duty State commissioner of commerce and labor: "Shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, especially those concerning the employment of child labor, and of women, and he shall take legal steps looking to the proper enforcement and due observance of such laws" 2. Same as in A, above	B
C 1914 Pol s 2141 C 1914 Civ s 2690, 2691	C 18	Telegraph operator employed to receive and transmit dispatches governing the movement of trains	1. Same as in B, above 2(a). Each offense Minimum—$50 Maximum—$500	C
HAWAII R L 1915 s 2130, 2131, 2136, 2137, 2160	A Any minor	Room or place where intoxicating liquors are furnished or sold	1. Duty License inspectors (appointed by board of license commissioners) Police officers: "May" inspect; "Shall" arrest for observed violations Any citizen: Shall report observed violations 1. Power only Members of board of license commissioners 2(a). Any offense Minimum—$50 or imprisonment for 1 month, or both Maximum—$500 or imprisonment for 3 months, or both (In addition to above, board of license commissioners may revoke or suspend license or reprimand licensee)	A

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IDAHO [For public exhibitions, see Table 7] Constitution art 13 s 4 1911 C 159 s 166, 170, 173 1913 C 77 s 7	A 12 [Employment 12 to 14 permitted only during public school vacation of 2 weeks or more]	Mercantile establishment Mine [But employment in "underground mine" is prohibited under 14 by constitutional provision] Factory Workshop Store Telegraph office Telephone office Laundry Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages	1. Duty State board of education (in cooperation with other departments of the State government) Probation officers or school trustees [or truant officers]: Shall visit "places of employment mentioned" [in 1911 C 159 s 166, 172; see A–III and C–III] and ascertain violations therein, "and they shall bring complaints for offenses under this act to the attention of the prosecuting attorney for prosecution" 1. Power only Any reputable citizen: May bring complaint 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
	B 14	Any business or service during school hours Underground mine	1. Same as in A, above 2. Same as in A, above	B
1911 C 159 s 171, 173 1913 C 77 s 7	C 16	Certain dangerous, etc., occupations, including: Any business or vocation injurious to the health or dangerous to the life or limb of child under 16 Any immoral, etc., purpose or practice Begging, peddling, or any mendicant or wandering business	1. Same as in A, above 2(a). Any offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 6 months, or both	C
1911 C 159 s 172, 173 1913 C 77 s 7	D Any minor	Serving intoxicating liquors to customers Handling intoxicating liquors or packages containing such liquors in a brewery, bottling establishment, or other place where such liquors are prepared for sale or offered for sale	1. Same as in A, above 2(a). Each offense Minimum—$50 or imprisonment for 2 months, or both	D
ILLINOIS [For street trades, see Table 6] [For public exhibitions, see Table 7] Hurd's Revised Statutes 1913 C 48 s 20, 20h, 20j, 20l, 20m [For minimum age of 14 for employment in begging or peddling, or for any immoral, etc., purpose or practice, or for or in any business or vocation injurious to the health or dangerous to life or limb, see H R S 1913 C 38 s 492, 493, 495, 496]	A 14	Any gainful occupation in: Manufacturing establishment Mercantile institution Factory Workshop "Theater, concert hall or place of amusement where intoxicating liquors are sold" [See provisions in B, below] Store Office Hotel Laundry Bowling alley [See provisions in B, below] Passenger or freight elevator [See provisions in B, below] Messenger or driver for any of the above Any work for wages or other compensation "during any portion of any month when the public schools * * * are in session"	1. Duty State factory inspector, and his assistants and deputies under his supervision School board or local school authorities: Must report to State factory inspector complaints made to them of violations in most regulated employments [For list, see H R S 1913 C 48 s 20h] 2(a). Each offense Minimum—$5 Maximum—$100	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
ILLINOIS—Continued [For prohibition of employment of "minor child" in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see H R S 1913 C 38 s 42hg]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling or assisting in oiling, wiping, or cleaning machinery Operation of passenger or freight elevator Pin boy in bowling alley "Theater, concert hall, or place of amusement wherein intoxicating liquors are sold" "Any other employment that may be considered dangerous to the lives or limbs of children under 16, or where their health may be injured or morals depraved"	1. Same as in A, above 2. Same as in A, above	B
	C Girl 16	Employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	C
H R S 1913 C 93 s 5e, 5g, 28–30	D Boy 16 Girl of any age	Manual labor in or about coal mine	1. Duty State mine inspectors 2(a). Any offense Maximum—$500 or imprisonment for 6 months, or both	D
INDIANA [For public exhibitions, see Table 7] Burns' Annotated Statutes 1914 s 6675, 6676, 6678 (as amended by 1915 C 77), 6682, 6685d	A 14 [See column III, *Exemptions*]	Any occupation during school hours *Exemptions:* [Child physically or mentally unfit to attend school according to certificate from reputable licensed practicing physician is apparently exempted—B A S 1914 s 6675]	1. Duty State industrial board State board of truancy Attendance officers 2(a). Any offense Minimum—$10 Maximum—$50	A

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B A S 1914 s 8022, 8038, 8042, 8044, 8045	B 14	Manufacturing establishment Mercantile establishment Mine [See also provisions in C, below] Quarry Laundry Renovating works Bakery Printing office	1. Duty State industrial board 1. Power only Any person: May make complaint 2(a)(b). First offense Maximum—$50 or $50 and imprisonment for 10 days [It may be that the penalty for "first offense" does not include imprisonment as stated, but the law is not clear] 2(a)(b). Second offense Maximum—$100 or $100 and imprisonment for 10 days 2(a)(b). Third offense Minimum—$250 and imprisonment Maximum—Fine and imprisonment for 30 days	B
B A S 1914 s 8038, 8042, 8590, 8594, 8598 [For minimum age of 12 for employment in mine or underground works, see B A S 1914 s 2626, 2627]	C Boy 14 Girl of any age	Mine where 10 or more men are employed	1. Duty Inspector of mines State industrial board 2(a)(b). Any offense Maximum—$500 or imprisonment for 6 months, or both	C
B A S 1914 s 8022a, 8022d, 8022e, 8022f, 8042	D 14	Any gainful occupation *Exemptions:* Farm work Domestic service Employment permitted from age of 12 in business of preserving and canning fruits and vegetables from June 1 to Oct. 1	1. Duty State industrial board 2(a). First offense Minimum—$5 or $5 and imprisonment Maximum—$200 or $200 and imprisonment for 10 days 2(a). Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days [It may be that the penalty for "subsequent offense" would include also a fine of from $5 to $200, but the law is not clear]	D
	E 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Tobacco warehouse Cigar or other factory where tobacco is manufactured or prepared Hotel Theater Place of amusement Any employment where health of child may be injured or morals depraved	1. Same as in D, above 2. Same as in D, above, including bracketed note	E

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
INDIANA—Continued	F Boy 16 Girl 18	Certain dangerous, etc., occupations, including: Work in certain processes, etc. "Brewery, distillery, saloon, concert hall, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled"	1. Same as in D, above 2. Same as in D, above, including bracketed note	F
	G Girl 18	Employment requiring constant standing	1. Same as in D, above 2. Same as in D, above, including bracketed note	G
B A S 1914 s 8024, 8029, 8038, 8042, 8044, 8045	H Boy 16 Girl 18	Cleaning machinery in motion	1. Same as in B, above 2. Same as in B, above, including bracketed note	H
	I 18	Care, custody, management, or operation of elevator	1. Same as in B, above 2. Same as in B, above, including bracketed note	I
B A S 1914 s 2623, 2627, 8042	J "Minor child"	Any illegal or immoral, etc., vocation Any vocation injurious to the health or dangerous to the life or limb of minor child	1. Duty Mayor, police judge, or justice of the peace: Upon complaint State industrial board: Shall "examine into all violations of laws made for the benefit or protection of labor" and prosecute same 1. Power only Any person: May make complaint, which must be investigated 2(a). Each offense Minimum—$10 or $10 and imprisonment Maximum—$100 or $100 and imprisonment for 30 days	J
IOWA [For street trades, see Table 6] [For public exhibitions, see Table 7] [Statutory prohibition in effect Jan. 1, 1916]	A 14	Manufacturing establishment Mine Factory Mill Shop Laundry Slaughterhouse or packing house Store or mercantile establishment where more than 8 persons are employed Operating freight or passenger elevator	1. Duty Commissioner of State bureau of labor statistics 1. Power only Deputies of commissioner of State bureau of labor statistics (including factory inspectors), State mine inspectors, and certain other officials: [1] May inspect the establishments enumerated in A-III Any person: May make complaint	A

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Code 1897 Supplement 1913 s 2477-e, 2477-f Code 1897 Supplemental Supplement 1913 s 2473, 2477-a, 2477-b		Livery stable Garage Place of amusement Distribution or transmission of merchandise Distribution or transmission of messages *Exemptions:* Provision does not apply to: Child working in or about establishments or occupations owned or operated by parent	2(a). Any offense Maximum—$100 or imprisonment for 30 days	
	B 16	Certain dangerous, etc., occupations, including: Work in or about any mine during the school term Hotel Bowling alley Pool room Billiard room Any occupation dangerous to life or limb Any occupation whereby through its nature or the place of employment health of child is injured or his morals depraved	1. Same as in A, above 2. Same as in A, above	B
	C Girl 21	Employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	C
C 1897 Supp 1913 s 4999-a2 C 1897 S Supp 1915 s 4999-a5 [Penalty specified in column IV is incurred by person "having charge or management of any manufacturing establishment, workshop, or hotel" who fails to comply with provisions within 30 days after being notified to do so by enforcing official]	D 16	Operating dangerous machinery or assisting therein	1. Duty Commissioner of State bureau of labor [statistics] Mayor of city or town Chief of police of city or town 2(b). Any offense Maximum—$100 or imprisonment for 30 days [See note in column I]	D
	E Boy 16 Girl 18	Cleaning machinery in motion	1. Same as in D, above 2. Same as in D, above, including bracketed note	E
KANSAS [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition since 1880] General Statutes 1909 s 4993, 4996, 8017, 8020 1913 C 217 s 3	A 12 [See provisions in B, below]	Coal mine [See provisions in B, below, which belong to a later law]	1. Duty State commissioner of labor and industry: Shall "cause to be enforced all laws regulating the employment of children, minors, and women" 2(a). Each offense Maximum—$50	A

[1] County attorneys, mayors, chiefs of police and their deputies, city and town marshals, sheriffs and their deputies, or any person authorized by judge of court of record

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
KANSAS—Continued G S 1909 s 5094, 5095, 5097, 5098, 8017, 8020 1913 C 217 s 3 [For prohibition of employment under 14 in begging, etc., see G S 1909 s 5136, 5138, 5139]	B 14	Factory Workshop Theater Packing house Operating elevator Mine Any business or service during school hours *Exemptions:* Factory or workshop owned or operated by parent	1. Same as in A, above 2(a). Any offense Minimum—$25 or imprisonment for 30 days Maximum—$100 or imprisonment for 90 days	B
[Industrial welfare commission may fix standard conditions of labor for women and minors—1915 C 275 s 3, 17]	C 16	Occupation or place dangerous or injurious to life, limb, health, or morals	1. Same as in A, above 2. Same as in B, above	C
KENTUCKY [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes 1915 s 33a.2, 331a.1, 331a.8, 331a.16, 2978c.7	A 14	Mercantile establishment Factory Mill Workshop Store Office Printing establishment Bakery Laundry Restaurant Hotel Apartment house Theater Motion-picture establishment Distribution or transmission of merchandise Distribution or transmission of messages Any business or service during school term	1. Duty State labor inspectors, under the direction of the commissioner of agriculture, labor, and statistics: Shall inspect specified establishments [For list, see St 1809 s 33a.2 (as amended by 1912 C 108)]; Shall report to State and to county attorney any violations occurring Truant officers: May inspect specified establishments [For list, see St 1915 s 331a.8]; Shall report violations to superintendent of schools, State labor inspector, or other authorized officer 2. Same as in B, below	A

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St 1915 s 33a.2, 331a.8, 331a.9, 331a.16, 2978c.7 [For prohibition of employment under 16 in certain dangerous, etc., occupations, or in begging, and of girl under 16 in peddling, etc., see St 1915 s 326, 330, 331] [For prohibition of employment of "minor child" in publishing or selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, see St 1915 s 1354]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling, wiping, or cleaning machinery Steam, electric, or hydraulic railroad Operating or assisting in operating passenger or freight elevator Mine or quarry Assorting, manufacturing, or packing tobacco Bowling alley or pool or billiard room Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Hotel, theater, concert hall, club, or place of amusement, or other establishment where intoxicating liquors are sold "Any other occupation dangerous to the life or limb or injurious to the health or morals" of children under 16; "and as to these matters the decision of the county physician or city health officer * * * shall be final" *Exemptions:* Machinery used for purposes of instruction in schools, the use of such machinery being subject to the approval of the board of education or other governing school authority	1. Duty Same as in A, above, and also, State inspector of mines and his assistants: Shall enforce provisions with regard to employment of children in mines 2(a). First offense Minimum—$15 Maximum—$50 2(a). Second offense Minimum—$15 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both 2(a). Subsequent offense Minimum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B
St 1915 s 33a.2, 331a.8, 331a.10, 331a.12, 331a.16, 2978c.7	C 18	Cleaning machinery in motion	1. Same as in A, above 2. Same as in B, above (Above penalty applies only to violations in regard to children under 16)	C
	D Girl 21	Employment requiring constant standing	1. Same as in A, above 2. Same as in C, above	D
LOUISIANA [For street trades, see Table 6] [For public exhibitions, see Table 7] Wolff's Revised Laws Supplement 1904–1908 v 3 p 414; 1908 A 301 s 1 (as amended by 1914 A 133 s 2), 3, 23 (as amended by 1912 A 61) W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2–3 (as amended by 1914 A 186) 1910 A 254 s 2	A 14 [For excuse from school attendance (in cities of over 25,000 except Parish of Orleans) of child 8 to 14 who is sole dependence of infirm persons or mother or sisters in necessitous circumstances, and implied permission to work, on certificate of local superintendent of schools, see later law, 1914 A 91]	Manufacturing establishment Mercantile establishment Mill Factory Mine Packing house Workshop Bowling alley Boot-blacking establishment Laundry Millinery store Dressmaking store Hotel Restaurant Theater Concert hall Operating freight or passenger elevator Place of amusement where intoxicating liquors are made or sold Transmission or distribution of messages whether telegraph, telephone, or any other messages Transmission or distribution of merchandise "Any other occupation whatsoever" *Exemptions:* Provision does not apply to: Agricultural pursuits	1. Duty State commissioner of labor and assistant commissioners Parish, city, or town factory inspectors (including New Orleans factory inspector) Supervisor of minerals: Shall enforce provisions of law pertaining to mining 2(a). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 6 months, or both	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
LOUISIANA—Continued W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2-3 (as amended by 1914 A 186) 1912 A 184 s 1	B 16 (actually or apparently)	Any illegal or immoral, etc., practice Any practice or place dangerous or injurious to the life, limb, health, or morals of child under 16 Any wandering occupation	1. Duty State commissioner of labor and assistant commissioners 2(a). Any offense Minimum—$25 or imprisonment, or both Maximum—$250 or imprisonment for 2 years, or both	B
W R L Supp 1904–1908 v 3 p 412; 1908 A 153 s 2-3 (as amended by 1914 A 186) 1912 A 25 s 1, 2	C 17	Any place where pool or billiard games of any sort are operated	1. Same as in B, above 2(a). Any offense Minimum—$25 or imprisonment, or both Maximum—$100 or imprisonment for 3 months, or both	C
W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2-3 (as amended by 1914 A 186) W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 3, 16, 17, 23 (as amended by 1912 A 61)	D Any minor Girl of any age	Cleaning "any part of the mill, gearing or machinery" in factory, mill, or workshop "while the same is in motion" [For earlier law fixing minimum age of 12 for operating or cleaning machinery in motion in factory, see W R L 1904 v 1 p 991; 1892 A 60 s 1, 2]	1. Duty State commissioner of labor and assistant commissioners Parish, city, or town factory inspectors (including New Orleans factory inspector) 2(a). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both	D
W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2-3 (as amended by 1914 A 186) W R L Supp 1904–1908 v 3 p 872; 1908 A 176 s 5, 8	E Any minor Girl of any age	Serving in barroom, cabaret, coffeehouse, cafe, beer saloon, liquor exchange, drinking saloon, grogshop, beerhouse, or beer garden [For earlier law prohibiting girl of any age from distributing, etc., liquors, etc., in concert hall or saloon, see W R L 1904 v 1 p 395; 1894 A 43 s 1]	1. Same as in B, above 2(a). Any offense Minimum—$50 or imprisonment, or both Maximum—$500 or imprisonment for 2 years, or both (Upon second conviction, offender shall be permanently deprived of privilege of conducting establishments named)	E

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MAINE **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4)** **1911 C 65 s 2, 11** **1915 C 327 s 1, 5**	**A 14**	**Manufacturing establishment** **Mechanical establishment** **Any business or service whatever during school hours**	1. Duty State commissioner of labor [and industry] "Agents for the protection of children," sheriffs, deputy sheriffs, police officers, and constables: Shall enforce any act concerning the protection of children 1. Power only [For powers of truant officers to inspect certain establishments and to demand proof of age, see Table 2, A-IX, and Table 5, A-VIII] **2(a). Any offense** **Minimum—$25** **Maximum—$200**	**A**
1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4), 8, 9 **1907 C 4 s 1, 2** **1911 C 65 s 2, 11**	**B 15**	**Care, custody, management, or operation of elevator**	**1. Same as in A, above, omitting bracketed note** **2(a). Each offense** **Minimum—$25** **Maximum—$100**	**B**
[For prohibition of employment of any minor in selling, etc., publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see R S 1903 C 125 s 15 and 1911 C 65 s 2, 11]	**C 18**	**Care, custody, management, or operation of elevator running over 200 feet a minute**	**1. Same as in B, above** **2. Same as in B, above**	**C**
	D 16	**Begging, etc.** **Any illegal or immoral, etc., practice** **Any practice or place dangerous or injurious to the life, limb, health, or morals of child under 16**	1. Duty State commissioner of labor [and industry] "Agents for the protection of children," sheriffs, deputy sheriffs, police officers, and constables **2(a). Any offense** **Maximum—$100 or imprisonment for 60 days**	**D**
[Constitutional prohibition adopted 1884; retained by popular vote 1911]	**E 16**	**Employment to aid or assist in illegal keeping or illegal sale of intoxicating liquors**	**1. Same as in D, above** **2(a). Any offense** **Minimum—$100 or imprisonment for 60 days**	**E**
MARYLAND **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **Annotated Code 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 5, 12, 34, 37, 38, 48**	**A 12** **[Employment 12 to 14 permitted only during such time as child is not required to attend school (see Table 5) on vacation employment certificate—See Tables 2 and 3]**	**Mercantile establishment** Canning establishment Packing establishment Store Office [See provisions in B, below] Boarding house Place of amusement **Club** **Distribution or transmission of merchandise** **Sale of merchandise**	**1. Same as in B, below** **2. Same as in B, below**	**A**

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MARYLAND—Continued A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 4, 34, 37, 38, 48 [For prohibition of employment under 14 by telegraph, telephone, or messenger company in calling for or delivering any message, with different penalty, see A C 1911 v 1 (1911) art 23 s 375, 377]	B 14	Mechanical establishment Mill Factory Workshop Tenement-house manufactory or workshop Office building Restaurant Bakery Barber shop Hotel Apartment house Bootblack stand or establishment Public stable Garage Laundry Driver Brickyard Lumberyard Construction or repair of buildings Messenger for telegraph, telephone, or messenger company [See provisions in K, below]	1. *Duty* Chief of State bureau of statistics and information Inspectors of factories, attendance officers, and other authorized officers 1. Power only Any person: May make and prosecute complaints 2(a). First offense Maximum—$50 2(a). Second offense Maximum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Maximum—$20	B
A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 6, 34, 37, 38, 48	C 14	Any business or service during school hours *Exemptions:* Child having "previously fulfilled during the current school year such requirements as to school attendance as now or may hereafter be prescribed by law" [See Table 5]	1. Same as in B, above 2. Same as in B, above	C
A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 7, 8, 34, 37, 38, 48 [For permit allowing child under 16 to appear in connection with theatrical performances, see Table 7, A]	D 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids or gases are used Manufacture of paints, etc. Oiling, wiping, or cleaning machinery or assisting therein Steam, electric, or hydraulic railroad Vessel or boat engaged in navigation or commerce Mine [See provisions in L, below] Coal breaker Quarry Assorting, manufacturing, or packing tobacco Pool or billiard room Employment on stage of theater or concert hall [See column I] Any other occupation "dangerous to the life and limb, or injurious to the health or morals" of child under 16	1. Same as in B, above 2. Same as in B, above	D

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A C 1911 v 3 (1914) art 27 s 346, 347; art 77 s 166	E 16	Handling intoxicating liquors or packages containing same in brewery or bottling establishment where intoxicating liquors are prepared for sale or offered for sale [See provisions in G, I, J, and M, below]	1. Power only Attendance officers: "May visit all establishments where minors are employed * * * and ascertain whether any minors are employed therein contrary to law", [This provision occurs in the education law and is apparently limited to certain counties—See note in column 1, Table 5] 2(a). Any offense Minimum—$10 Maximum—$100	E
A C 1911 v 3 (1914) art 27 s 476 [For prohibition of employment under 14 in begging, etc., see A C 1911 v 3 (1914) art 27 s 344]	F 16	Peddling Begging Mendicant or wandering business	1. [No specific provision] 2(a). Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$250 or imprisonment for 1 year, or both	F
A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 21, 34, 37, 38, 48	G 18	Certain dangerous, etc., occupations, including: Work at certain machines Work in certain processes Blast furnace Running or management of elevator or lift Oiling or cleaning machinery in motion Brakeman, fireman, engineer, motorman, or conductor on railroad Railroad telegraph operator Pilot, fireman, or engineer upon boat or vessel Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Theater, concert hall, club, or other place of amusement wherein intoxicating liquors are sold	1. Same as in B, above 2. Same as in B, above	G
A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 23, 34, 37, 38, 48	H Girl 18	Employment requiring constant standing	1. Same as in B, above 2. Same as in B, above	H
A C 1911 v 3 (1914) art 27 s 273; art 77 s 166; art 100 s 22, 34, 37, 38, 48	I 21	Saloon or barroom where intoxicating liquors are sold	1. Same as in B, above 2. Same as in B, above	I
A C 1911 v 2 (1911) art 56 s 98; art 77 s 166	J Minor	Selling or dispensing beer or liquors, etc., at retail where same is to be drunk upon premises (includes club)	1. Same as in E, above, including bracketed note 2(a). Any offense Maximum—$100	J
A C 1911 v 1 (1911) art 23 s 376, 377; art 77 s 166	K Minor	Calling for or delivering messages for telegraph, telephone, or messenger company at or to immoral, etc., place of business	1. Same as in E, above, including bracketed note 2(a). Each offense Minimum—$100 or imprisonment for 60 days, or both Maximum—$500 or imprisonment for 60 days, or both	K

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MARYLAND—Continued Public Local Laws 1888 art 1 s 197 (as reenacted by 1902 C 124), 200 (as reenacted by 1902 C 124), 209n subsection H (as added by 1902 C 124), 209p (as added by 1902 C 124 and amended by 1904 C 243), 209q subsection F (as added by 1902 C 124)	L Girl of any age	Mine in Allegany or Garrett County where 10 or more persons are employed in any 24-hour period	1. Duty Mine inspector: Shall inspect mines; Shall report violations to county grand jury 2(a). Any offense Maximum—$500 or imprisonment for 6 months, or both	L
A C 1911 v 3 (1914) art 27 s 442, 443; art 77 s 166	M Girl of any age	Waiter, or seller, etc., of liquors, etc., in theater, museum, or other place of amusement	1. Same as in E, above, including bracketed note 2(a). Any offense Minimum—$100 or imprisonment for 1 month, or both Maximum—$1,000 or imprisonment for 6 months, or both (In addition to above penalty, license shall be forfeited)	M
MASSACHUSETTS [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Laws 1902 C 46 s 13 (as amended by 1913 C 779 s 12) R L 1902 C 108 s 8 (as amended by 1907 C 413) 1909 C 514 s 17 (as amended by 1912 C 191), 56 (as amended by 1913 C 831 s 1), 62 (as amended by 1913 C 779 s 20), 63 (as amended by 1913 C 779 s 21), 74 1912 C 726 s 5, 11 1913 C 714 s 1–4 1913 C 831 s 2–7, 18, 20	A 14	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop Barber shop Bootblack stand or establishment Public stable Garage Brickyard Lumberyard Telephone exchange Telegraph office Messenger office Construction or repair of buildings Contract or wage-earning industry carried on in tenement or other houses Any work for wage or other compensation during school hours	1. Duty Inspectors of State board of labor and industries Attendance officers: "Shall inquire into" all cases of children out of school and without permits; shall apprehend and take to school child under 21 illegally employed; shall make complaint; May inspect certain establishments 1. Power only Any person: May prosecute violations 2(a). First offense Minimum—$10 or imprisonment, or both Maximum—$50 or imprisonment for 30 days, or both 2(a). Subsequent offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (Any offense—After notification by enforcing officer, each day's violation a separate offense)	A

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[For prohibition of employment of minor in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is given in detail in Table 6, column I, but which may refer to other than street employment, see R L 1902 C 2[2 s 21]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Oiling or cleaning hazardous machinery Stripping, assorting, manufacturing, or packing tobacco Public bowling alley Pool or billiard room Any trade, process of manufacture, or occupation, or method of carrying on aforesaid, not already forbidden by law to child under 16, which State board of labor and industries may determine to be sufficiently dangerous or injurious to health or morals of such child to justify his exclusion therefrom	1. Duty Inspectors of State board of labor and industries 1. Power only Any person: May prosecute violations 2. Same as in A, above	B
	C 16	Operation or charge of freight or passenger elevator	1. [No specific provision] 2(a). Any offense Minimum—$25 Maximum—$100	C
	D 18	Operation or charge of freight or passenger elevator running at a speed of more than 100 feet per minute	1. [No specific provision] 2. Same as in C, above	D
	E 18	Operation of passenger elevator in Boston (Term does not include elevator used for freight and carrying passengers incidentally to such use) *Exemptions:* Provision does not apply to: Private or apartment house or any building under construction or repair Emergency that could not reasonably have been foreseen	1. Duty Building commissioner shall not grant license to persons under age 2(a). Any offense Minimum—$10 Maximum—$500 (Above penalty is incurred for employing person under age or without a license)	E
	F 18	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc. Oiling or cleaning hazardous machinery in motion Blast furnace Brakeman, fireman, engineer, motorman, or conductor on railroad or railway Fireman or engineer on boat or vessel Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Part of hotel, theater, concert hall, place of amusement, or other establishment where intoxicating liquors are sold Any trade, process of manufacture, or occupation, or method of carrying on aforesaid, not already forbidden by law to child under 18, which State board of labor and industries may determine to be sufficiently dangerous or injurious to health or morals of such child to justify his exclusion therefrom *Exemptions:* Drug store	1. Same as in B, above 2. Same as in A, above	F
	G 21	Saloon or barroom where alcoholic liquors are sold Sending minor in any employment to immoral places, etc.	1. Same as in B, above 2. Same as in A, above	G

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MICHIGAN [For street trades, see Table 6] [For public exhibitions, see Table 7] Howell's Annotated Statutes 1913 s 4018 (as amended by 1915 No 255), 4026, 4029, 4062	A 15 [See column III, *Exemptions*]	Manufacturing establishment Mercantile institution Factory Workshop Store Office Hotel Laundry Mine Bowling alley Billiard or pool room conducted for profit Theater (other than employment by traveling theatrical company in "acting a part in the productions of such company"—See Table 7, A) [But see C, below, for minimum age of 16] Employment in connection with passenger or freight elevator Telegraph service Messenger service *Exemptions:* Employment of child over 14 during established vacation period in preserving perishable goods in fruit or vegetable canning establishment	1. Duty State factory inspectors 1. Power only Any citizen: May make complaint [1911 A 163 and 1913 A 177 provide for the appointment of mine inspectors, but their duties apparently relate only to safety] 2(a). Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 90 days, or both	A
H A S 1913 s 3921, 14744	B 16	Any immoral, etc., purpose or practice Begging	1. [No specific provision] 2(a). Any offense Maximum—$250 or imprisonment for 1 year, or both	B
H A S 1913 s 4019 (as amended by 1915 No 255), 4026, 4029, 4062 [For provision prohibiting girl of any age from operating certain wheels or belts, see H A S 1913 s 4039]	C 16	The following (other than employment by any traveling theatrical company in "acting a part in the productions of such company"—See Table 7, A): Theater Variety or burlesque show Moving-picture show Other kind of playhouse Music or dance hall Pool room Billiard room	1. Same as in A, above 2. Same as in A, above	C

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[For prohibition of employment of minor child in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see H A S 1913 s 4787]	D Boy 18 Girl 21 [See column III, *Exemptions*]	Cleaning machinery in motion Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Any hazardous employment Employment where health may be injured or morals depraved *Exemptions:* [A proviso, the significance of which is not clear, permits the employment of boy 16 to 18 in any occupation other than cleaning machinery in motion or occupations in distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled, provided employment is for not more than 10 hours per day, 54 per week (the legal maximum for minors under 18), and is approved by department of labor as not injurious to health or morals, or unduly hazardous]	1. Same as in A, above 2. Same as in A, above	D
H A S 1913 s 6818, 6822, 6823 H A S 1913 s 4018 (as amended by 1915 No 255), 4026, 4029, 4033, 4062 [Proprietor of saloon, etc., is prohibited by H A S 1913 s 3922 from permitting minor under 17 to remain in such place, and by s 5069 from allowing any minor to visit or remain in such place unless accompanied by father or guardian]	E 19	Telegraph operator employed by railroad company whose line of railway is 30 miles or more in length	1. [No specific provision] 2(a). Any offense Maximum—$100 or imprisonment for 90 days, or both	E
	F 21	"Theater, concert hall, or place of amusement where intoxicating liquors are sold"	1. Same as in A, above 2. Same as in A, above	F
	G Girl of any age [See note in column I]	Acting as barkeeper or serving liquors in any saloon or barroom where spirituous or intoxicating liquors, or malt, brewed, or fermented liquors are sold or kept for sale	1. Same as in A, above 2. Same as in A, above	G
MINNESOTA [For street trades, see Table 6] [For public exhibitions, see Table 7] General Statutes 1913 s 3818, 3819, 3839, 3846, 3847	A 14	Factory Mill Workshop Mine Construction of buildings Employment about any engineering work Employing or exhibiting child in any business or service during any part of the term during which public schools are in session	1. Duty State department of labor and industries 1. Power only Truant officers: May inspect establishments and shall report violations to school authorities and to State commissioner of labor 2(a). Any offense Minimum—$25 Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467-475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MINNESOTA—Continued G S 1913 s 3818, 3819, 3847, 3848, 8482 [For law prohibiting employment of child under 16 in the care, management, or operation of any elevator and in employment dangerous to lives, limbs, health, or morals, see G S 1913 s 3870, 3871, 3881] [For prohibition of employment of minor child in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see G S 1913 s 3819, 8705]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Oiling or assisting in oiling, wiping, or cleaning machinery Pin boy in bowling alley Manufacture of paints, etc. Operating or assisting to operate passenger or freight elevator Employment dangerous to life, health, or morals of child under 16 [See also G S 1913 s 8483, 8669, for protective regulation which does not specify employment] Theater Concert hall Saloon Place of amusement	1. Same as in A, above 2(a). Any offense Maximum—$100 or imprisonment for 3 months	B
	C Girl 16	Employment compelling constant standing	1. Same as in A, above 2. Same as in B, above	C
G S 1913 s 3819, 3870, 3881	D Girl of any age	Oiling or cleaning moving machinery	1. Duty State department of labor and industries 2(a)(b). Any offense Minimum—$25 or imprisonment for 15 days [See G S 1913 s 8482 for maximum penalty for misdemeanor which might be applicable]	D

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G S 1913 s 3819, 8482	E	18 (actually or apparently)	Any immoral, etc., practice Any practice dangerous or injurious to life, limb, health, or morals Begging or mendicant occupation Messenger for delivering letters, telegrams, packages, or bundles to immoral, etc., places	1. Duty State department of labor and industries: "Shall enforce all laws regulating the employment of minors" 2(a). Any offense Minimum—$50 or imprisonment for 30 days, or both [See G S 1913 s 8482 for maximum penalty for misdemeanor which might be applicable]	E
G S 1913 s 3819, 3847, 3849, 8482	F	Girl 21	Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages	1. Same as in A, above 2. Same as in B, above	F
MISSISSIPPI [Statutory prohibition enacted February, 1908; in effect Jan. 1, 1909] 1908 C 99 (as amended by 1912 C 165) s 1, 6–8 1914 C 163 s 3, 4 1914 C 164 s 9 [1912 C 165 s 9, amending 1908 C 99, which exempted fruit canneries from the provisions tabulated in A and which so defined the application of the act as to make the penalties apply to employment in all the establishments listed in column III, was repealed by 1914 C 163 s 8]	A	Boy 12 Girl 14	Manufacturing establishment Mill Factory Cannery [See note in column I] *Exemptions:* [1914 C 164 repeals these provisions in so far as they relate to "cotton mills and knitting mills," but enacts nearly identical provisions for such establishments in regard to minimum age—See provisions in B, below]	1. Duty State factory inspector Circuit judge: Shall specially charge grand jury to investigate violations 2(a). Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both (Above penalty applies specifically to employment only in "mill, factory or manufacturing establishment")	A
1914 C 163 s 3, 4 1914 C 164 s 1, 4, 6–9	B	Boy 12 Girl 14	Cotton mill Knitting mill	1. Duty Same as in A, above, and also, County sheriff 2(a). Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both 2(b). Any offense Minimum—$10 Maximum—$100 (Penalty 2(b) is incurred for refusal to obey lawful order of sheriff)	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MISSOURI **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **Revised Statutes 1909 v 1 s 1715 (as amended by 1911 p 132), 1726b–1726d (as added by 1911 p 132)** **R S 1909 v 2 s 7824, 7825**	A 14	**Any gainful occupation** ***Exemptions:*** **Agricultural pursuits** **Domestic service**	1. Duty State factory inspector: In cities of 10,000 or over "shall enforce all laws relating to the inspection" of factories, warehouses, freight depots, machine shops, laundries, tenement workshops, bakeshops, hotels, restaurants, bowling alleys, theaters, concert halls or places of public amusement, and other manufacturing, mechanical, and mercantile establishments and workshops 2(a). Any offense Maximum—$100 or imprisonment for 1 year, or both (Each day's violation a separate offense)	A
[For earlier law fixing minimum age of 14 for employment in begging, peddling, for any immoral, etc., purpose or practice, and for or in any business or vocation injurious to life or limb of child under 14, see R S 1909 v 2 s 4741–4743, 7824, 7825] [For provision fixing minimum age of 10 for boys and 16 for girls in selling newspapers or other merchandise in places of public amusement, places where intoxicating liquors are manufactured or sold, or public office buildings, see Table 6, A]	B 16	Certain dangerous, etc., occupations, including: **Work at certain machines, etc.** [See also R S 1909 v 2 s 7829, 7846, 7847] Work in certain processes, etc., including preparing any **composition** in which dangerous or poisonous acids or alkalies **are used** Manufacture of paints, etc. Oiling, wiping, or cleaning machinery, or assisting therein Brewery or other establishment where malt or alcoholic **liquors** are manufactured, packed, wrapped, or bottled Hotel Concert hall Moving-picture show Pool and billiard hall Wholesale drug store Saloon Place of amusement Bowling alley Any other employment **declared by State factory inspector to be dangerous to life and limb or injurious to health or morals of child under 16**	1. **Same as in A, above** 2. **Same as in A, above**	B

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R S 1909 v 2 s 8456, 8463, 8465, 8467 (as amended by 1911 p 319)	C	Boy 14 Girl of any age	Mine	1. Duty Mine inspectors 2(a). First offense Minimum—$50 Maximum—$200 2(a). Second offense Minimum—$200 Maximum—$500	C
R S 1909 v 2 s 7824, 7825, 7829, 7846, 7847	D	Any minor Girl of any age	Cleaning machinery while in motion (Above in manufacturing, mechanical, mercantile, and other establishments and places)	1. Same as in A, above 2(a). First offense Minimum—$25 Maximum—$200 2(a). Subsequent offense Minimum—$100 Maximum—$500	D
R S 1909 v 2 s 7213	E	Any minor	Employment in dramshop to play cards, dominos, dice, billiards, pigeonhole, pool, or any other game	1. [No specific provision] 2(a). Any offense Minimum—$50 Maximum—$200 (In addition to above penalty, forfeiture of $50 to parent upon conviction under civil action)	E
R S 1909 v 2 s 4740	F	Girl of any age	Servant, bartender, waiter, in dramshop, saloon, or any place where spirituous, malt, or vinous liquors are sold at retail	1. [No specific provision] 2(a). Any offense Minimum—$50 or imprisonment for 3 months, or both Maximum—$500 or imprisonment for 12 months, or both (In addition to above penalty, license shall be revoked and no license shall be issued to violator for 2 years thereafter)	F
MONTANA [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Codes 1907 s 1660, 1669 1913 C 76 s 1101–1103	A	14 (if child has not completed public school studies) 16 (if not able to read and write English)	Any occupation during school term [This is not a direct minimum age law, but must be inferred as such from the requirements for age and schooling certificates—See Table 2, A and B]	1. Duty Truant officers State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 2 (a). Each offense Minimum—$25 Maximum—$50	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
MONTANA—Continued Constitution art 18 s 3, 5 R C 1907 s 1660, 1669, 1746, 1750, 1751 1911 C 120 s 5 1913 C 55 s 3, 5 [For prohibition of employment of child under 16 in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see R C 1907 s 1660, 1669, 8111, 8391, 8392]	B 16	Factory Workshop Mine [See also R C 1907 s 1752–1754 and 1913 C 55 s 3, 5] Mill Smelter Steam, electric, hydraulic, or compressed-air railroad Passenger or freight elevator Where any machinery is operated Employment by telephone company Employment by telegraph company Employment by messenger company Any occupation not above enumerated which is known to be dangerous or unhealthful or which may be in any way detrimental to the morals of child under 16 [For prohibition of employment of child under 16 in begging or peddling in public street or highway, or in any mendicant or wandering business, see R C 1907 s 1660, 1669, 8111, 8347]	1. Duty State commissioner of labor and industry State bureau of child and animal protection: Has duties and powers as specified in A, above State coal mine inspector: As to coal mines [State mine inspector must inspect mines, but duties appear to relate only to safety—R C 1907 s 1713, 1720] 1. Power only Any reputable citizen: May make complaint 2 (a). Any offense Minimum—$25 or imprisonment for 30 days, or both Maximum—$500 or imprisonment for 6 months, or both [For law fixing maximum penalty of fine of $1,000 for employment of child under 14 in underground works or mine, or in "any similar business," see R C 1907 s 8349]	B
R C 1907 s 1660, 1669, 8111, 8373, 8376 [Person keeping saloon, etc., is prohibited by R C 1907 s 8379 from permitting any minor to resort or stop in such place]	C Girl of any age [See note in column I]	Employment to "wait" in any drinking saloon, dance cellar, ballroom, public garden, public highway, common park or street, or in any steamboat or railroad car, or in any place whatsoever, if in such place there is connected therewith the sale or use as a beverage of any intoxicating, spirituous, vinous, or malt liquors	1. Duty State bureau of child and animal protection: Has duties and powers as specified in A, above 2 (a). Any offense Minimum—$50 or imprisonment, or both Maximum—$500 or imprisonment for 3 months, or both	C
	D Girl of any age	Selling or furnishing malt, vinous, or spirituous liquors in the auditorium, boxes, or lobbies of any theater, melodeon, variety show, museum, circus, or caravan, or any place where any farce, comedy, tragedy, ballet, opera, or play is being performed, or any exhibition of dancing, juggling, waxwork figures, and the like is being given for public amusement	1. Same as in C, above 2 (a). Each offense Maximum—$500 or imprisonment for 6 months, or both	D

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NEBRASKA [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Statutes 1913 s 3575, 3585-3587 [For prohibition of employment of "minor child" in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see R S 1913 s 8790]	A 14	Manufacturing establishment Mercantile institution Factory Workshop Theater Concert hall Place of amusement Place where intoxicating liquors are sold Store Office Hotel Laundry Bowling alley Passenger or freight elevator Messenger for any of the above Driver for any of the above Any business or service during school hours	1. Duty State deputy commissioner of labor Truant officers 1. Power only Any person: May cause enforcement [For powers of State board of inspection in regard to certificates, which indirectly enforce the minimum age laws, see Table 2, A-IX] 2 (a). Each offense Maximum—$50 2 (b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
	B 16	Any work which by reason of its nature or the place of performance is dangerous to life or limb or in which child's health may be injured or morals depraved	1. Same as in A, above 2. Same as in A, above	B
NEVADA [For street trades, see Table 6] [For public exhibitions, see Table 7] 1913 C 232 s 1-6, 9, 10 [For prohibition of employment of minor in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, A, but which may refer to other than street employment, see R L 1912 s 6461, 6284] 1915 C 203 s 4, 8, 9, 13	A 14	Any business or service during school hours	1. Duty State labor commissioner State superintendent [of public instruction], other authorized inspector, or school-attendance officer: Shall demand evidence of age of child apparently under 14 employed during school hours, and forbid employment if such proof be not produced [See Table 5, A-VIII, for powers of inspection given to attendance officer or other school officer] 2. Same as in B, below	A
	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Mine Coal breaker Quarry Smelter Ore-reduction works Laundry Tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Glass furnace Running or managing elevator or lift Oiling hazardous or dangerous machinery in motion	1. Duty State labor commissioner 2(a). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
NEVADA—Continued	B—Continued	Brakeman, fireman, engineer, motorman, or conductor upon any railroad Any trade, process of manufacture, or occupation, or method of carrying on same, declared by State board of health to be sufficiently dangerous to the life or limb, or injurious to the health or morals of child under 16 to justify its exclusion therefrom [See provisions in C, below]		B
Revised Laws 1912 s 6823, 6285 1915 C 203 s 4, 8, 9, 13	C 18	Begging, receiving alms, or any mendicant occupation Any immoral, etc., practice Any practice dangerous or injurious to life, limb, health, or morals Messenger for delivering letters, telegrams, packages, or bundles to immoral places	1. Same as in B, above 2(a). Any offense Maximum—$500 or imprisonment for 6 months, or both	C
R L 1912 s 6506 1915 C 203 s 4, 8, 9, 13	D Any minor	Employment as barkeeper	1. Same as in B, above 2(a). Any offense Minimum—$100 or imprisonment for 50 days, or both Maximum—$500 or imprisonment for 6 months, or both	D
NEW HAMPSHIRE [For street trades, see Table 6] [For public exhibitions, see Table 7] Public Statutes 1901 C 93 s 15 19(as amended by 1901 C 61) 11 C 162 s 1 (as amended by 1913 C 224 s 1), 16, 17, 19, 20, 21 1911 C 198 s 2	A 14 [For earlier minimum age law in large part superseded by these provisions, see also P S 1901 C 93 s 10 (as amended by 1901 C 61), 13 (as amended by 1901 C 61), 18, and P S 1901 C 92 s 18]	Mill Factory Workshop Quarry Mercantile establishment "Tenement house manufactory or workshop" Store Business office Telegraph office Telephone office Restaurant Bakery Hotel Barber shop	1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers State superintendent of public instruction and State inspectors appointed by him and under his supervision 2(a). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A

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[For prohibition of employment of any minor in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see Table 6, C]		Apartment house Bootblack stand or parlor Distribution or transmission of merchandise Distribution or transmission of messages	2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	
P S 1901 C 92 s 18 P S 1901 C 93 s 15 (as amended by 1901 C 61) 1903 C 95 s 14 (as amended by 1913 C 129), 17 (as amended by 1905 C 49 s 11), 33 (as amended by 1905 C 49 s 18) 1911 C 198 s 2 1915 C 110 s 3	B Boy under 21 Girl of any age	Selling or serving liquor on licensed premises *Exemptions:* Selling or serving liquor to bona fide registered guests in their rooms and in dining rooms with meals under licenses of the first class [to be issued only to innholders]	1. Duty Board of excise commissioners and its special agents: May inspect; Shall make complaint for violation State labor commissioner: Has duties as specified in A, above Truant officers: As to employment under 16 during school hours 1. Power only State superintendent of public instruction or his deputy: As to employment of minors 2(a). Any offense Fine of $200 and imprisonment for not less than 1 month nor more than 2 years (In addition to above penalty, license may be revoked or suspended by board of excise commissioners)	B
NEW JERSEY [For street trades, see Table 6] [For public exhibitions, see Table 7] [See also 1914 C 233 s 1, 3, 5, 7, 9, 10, 12, 13, 15, 17, 18, for provisions apparently applying chiefly to street trades, and therefore tabulated in Table 6, but possibly applying to other occupations. By permitting on certificate (see notes in column I, Tables 2 and 3) employment outside school hours in "certain light employments in the open air,"	A 14	Factory Workshop Mill Newspaper plant Printery Commercial laundry Place where printing is carried on Place where the manufacture of goods of any kind is carried on	1. Duty State commissioner of labor (with supervision and control over assistant and inspectors) 2 (a). Each offense Fine of $50 [For heavier penalty for employment in factory, workshop, mill, and place where the manufacture of goods of any kind is carried on, see provisions in C, below] (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	A
	B 14	Factory Workshop Mill Place where the manufacture of goods of any kind is carried on Mine Quarry	1. Same as in A, above 2. Same as in A, above, including bracketed note	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
NEW JERSEY—Continued otherwise lawful (see minimum age provisions below) it appears to fix a minimum age of 10 for all open-air employment, except agricultural pursuits, which are exempted]	C 14	Factory Workshop Mill Place where the manufacture of goods of any kind is carried on	1. Same as in A, above 2 (a). Any offense Minimum—$50 or imprisonment, or both Maximum—$50 or imprisonment for 90 days, or both 2 (a). Habitual violation Maximum—$1,000 or imprisonment for 3 years, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	C
Compiled Statutes 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 60), s 60 p 3034 (as amended by 1912 C 117), s 61 p 3035 [C S 1910 v 3 Labor s 16 p 3023 was amended in 1914 not only by C 60, approved Mar. 26, tabulated in A, but also by C 236 and C 252, both approved Apr. 17, tabulated in B and C]	D 14 [See provisions in E, below]	Mercantile establishments (Term shall be "construed to apply to any employment of labor other than a factory, workshop, mill or other place where the manufacture of goods of any kind is carried on") [See provisions in E, below]	1. Duty State commissioner of labor, assistant commissioner, and inspectors of department of labor Attendance officers or other persons empowered to compel school attendance Police officers Other person designated by law to protect children from cruelty and neglect 1. Power only Officer or agent for incorporated society for the protection of children from cruelty and neglect 2. Same as in C, above	D
C S 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 236 s 2) C S 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 252 s 1) C S 1910 v 3 Labor s 22 p 3025 (as amended by 1914 C 252 s 4) 1914 C 236 s 3	E 16	Certain dangerous, etc., occupations in mercantile establishments [see D-III, above], including: Employment detrimental to health or dangerous to the life and limb of child under 16, or that exposes him to excessive heat or cold, or that requires excessive muscular exertion that is detrimental to his health and strength, or that exposes him to conditions that will retard his growth or injure his health, or in any place that is damp, unhealthy, or injurious in any way to health and strength, or where, on account of the light or the nature and	1. Same as in D, above 2 (a). Any offense Maximum—$50 or imprisonment for 90 days, or both 2 (a). Habitual violation Maximum—$1,000 or imprisonment for 3 years, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	E

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1911 C 136 s 1, 3, 5, 6 (as amended by 1914 C 263 s 1, 3, 5, 6), 15 [For earlier law fixing minimum age of 12 in underground works or mine or "like place," see C S 1910 v 2 Infants s 50 p 2816]		character of the work, the child's eyesight or hearing will be injured Handling goods, wares, or merchandise that are poisonous or that give off dust, fumes, or gases, or in working around heated metal, combination of metal or metals, or their salts, that give off any dust, fumes, or gases that are detrimental to the health [For earlier law prohibiting employment of minor in vocation injurious to health, etc., see provisions in H, below]		
[Person having license to sell liquors is prohibited by C S 1910 v 2 Crimes s 70f p 1769 from permitting any minor under 18 to frequent his place of business] [For law prohibiting child under 16 from cleaning machinery in motion, etc., in certain establishments, see also C S 1910 v 3 Labor s 36 p 3028]	F 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids or gases are used Oiling, wiping, or cleaning machinery or assisting therein Manufacture or use of dangerous or poisonous dyes Manufacture of paints, etc., or any process in which lead or its compounds are employed "Occupations causing * * * dust in injurious quantities, including * * * tobacco * * * dust" Any trade, [or] process which shall offer such exposure to excessive heat, cold, muscular exertion, or other physical risk as shall be harmful, in the judgment of State commissioner of labor, to the health and future working efficiency of child under 16 [For earlier law, see provisions in H, below]	1. Same as in A, above 2. Same as in E, above	F
C S 1910 v 2 Crimes s 56 p 1763, s 218 p 1812 [For earlier provision covering begging, etc., see C S 1910 v 2 Infants s 48 p 2816]	G 18	"Begging, * * * or for any mendicant or wandering business whatsoever * * * in the streets, roads, and other highways or public places of this State" Immoral conduct or occupation in streets, roads, and other highways, or in public or private places	1. [No specific provision] 2 (a). Any offense Maximum—$1,000 or imprisonment for 3 years, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	G
C S 1910 v 2 Infants s 47 p 2816	H "Minor child"	Certain dangerous, etc., occupations, including: Employment in immoral, etc., places, or in place where illegal or immoral, etc., exhibition takes place Any illegal or immoral, etc., vocation [See later law tabulated in G, above] Any vocation injurious to the health or dangerous to life or limb of child engaged therein [See later laws tabulated in E and F, above]	1. [No specific provision] 2(a). Each offense Minimum—$50 Maximum—$100 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	H

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
NEW MEXICO [For public exhibitions, see Table7] 26 United States Statutes at Large C 564 p 1104 s 12, 14 [The State Constitution, art 22, s 3, provides that the above act remain in force until otherwise provided by law. Statutes 1915 s 5362–5367 make provision for the inspection of mines and the protection of employees therein which in part supersedes said act but does not cover the employment of children]	A 12 [See provisions in B, below]	Underground workings of any [coal] mine [See provisions in B, below]	1. Power only Federal mine inspector: May especially make inquiry whether the provisions of this act are complied with [See also note in column I] 2(a). Any offense Maximum—$100	A
Constitution art 17 s 2	B 14	Mine	[See A-IV, above, including bracketed note, which would be applicable in so far as the provisions here tabulated are covered by those tabulated in A]	B
Statutes 1915 s 2907–2910 [Proprietor of saloon is prohibited by St 1915 s 2917 from permitting any minor under 21 to loiter upon or frequent such premises]	C Girl of any age [See note in column I]	Serving drinks or any other form of refreshment or viands or soliciting for purchase or sale thereof, in saloon, or serving intoxicating drinks in any room adjacent to or within 100 feet of saloon or any place where intoxicating liquo ris sold or given away	1. Duty Sheriff, deputy sheriff, constable, city marshal, and police officers: Are penalized upon failure to arrest offenders for violations of which they have knowledge 2(a). Any offense Maximum—$100 or imprisonment for 6 months, or both	C

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NEW YORK **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **Consolidated Laws 1910 v 8 Education C 16:** **Art 23 s 626, 628 (as amended by 1913 C 748), 632, 633 subdivision 3, 636**	A 14	**Any business or service during school term**	1. Duty State commissioner of education: Shall supervise enforcement Superintendent of schools: Shall supervise enforcement within city, union free school district, or common school district whose limits include in whole or in part an incorporated village 1. Power only Truant officers: May inspect establishments 2(a). First offense Minimum—$20 Maximum—$50 2(a). Subsequent offense Minimum—$50 Maximum—$200	A
C L 1909 v 3 Labor C 31: Art 1 s 2 (as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650); Art 3-a s 51-52 (as added by 1913 C 145); Art 4 s 59 (as amended by 1913 C 145); Art 12 s 160, 161 (as amended by 1914 C 331), 162 (as amended by 1911 C 866), 172 (as amended by 1913 C 145) C L 1909 v 4 Penal C 40: Art 120 s 1275 (as amended by 1913 C 349)	B 14	In any village or city of 3,000 or over: **Mercantile establishment** **Business office** **Telegraph office** **Restaurant** **Hotel** **Apartment house** **Theater** **Place of amusement** **Bowling alley** **Barber shop** **Shoe-polishing establishment** **Distribution or transmission of merchandise or articles** **Distribution or transmission of messages** **Distribution of articles** **Sale of articles**	1. Duty State industrial commission: Has duty of enforcement in cities of the first or second class; May investigate and make regulations for carrying law into effect Board of health or health commissioners: In cities other than those of the first or second class, and in towns and villages 2(a)(b). First offense Minimum—$20 Maximum—$50 2(a)(b). Second offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 30 days, or both 2(a)(b). Third offense Minimum—$250 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	B
C L 1909 v 3 Labor C 31: Art 1 s 2 (as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650); Art 3-a s 51-52 (as added by 1913 C 145); Art 4 s 56 (as amended by 1913 C 145); Art 6 s 70 (as amended by 1913 C 529), 92, 93 (as amended by 1910 C 107 and by 1913 C 464), 96; Art 7 s 100 (as amended by 1913 C 260), 106 (as added by 1913 C 260);	C 14	**Factory (including bakery or laundry other than home laundry where work is done for family trade)** *Exemptions:* "Nothing herein contained shall prevent a person engaged in farming from permitting his children to do farm work for him upon his farm. Boys over the age of 12 years may be employed in gathering produce for not more than 6 hours in any one day," subject to the compulsory education law—See Table 5	1. Duty State industrial commission 2. Same as in B, above	C
	D 14	**Tenement-house manufactory, i. e., any tenement-house room where articles are manufactured, altered, repaired, or finished**	1. Same as in C, above 2. Same as in B, above, and also, in addition, permit of manufactory may be revoked	D

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
NEW YORK—Continued Art 8 s 111 (as amended by 1913 C 463); Art 9 s 131, 135 C L 1909 v 4 Penal C 40: Art 44 s 483, 485; Art 120 s 1270, 1275 (as amended by 1913 C 349); Art 174 s 1937	E 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling or assisting in oiling, wiping, or cleaning machinery Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Care, custody, management, or operation of freight or passenger elevator [See provisions in I, below]	1. Same as in C, above 2. Same as in B, above	E
	F Girl 16	Employment requiring constant standing	1. Same as in C, above 2. Same as in B, above	F
	G 16	Peddling Begging or any mendicant occupation Illegal or immoral, etc., practice Practice or place dangerous or injurious to the life, limb, health, or morals of child under 16	1. [No specific provision] 2(a). Any offense Maximum—$500 or imprisonment for 1 year, or both	G
	H Boy 16 Girl of any age	Mine Quarry	1. Same as in C, above 2(a). Same as 2 (a)(b) in B, above 2(b). Any offense Minimum—$50 or imprisonment for 30 days	H
	I 18	Care, custody, management, or operation of freight or passenger elevator running over 200 feet a minute "The industrial commission * * * when * * * it finds that any particular trade, process of manufacture, or occupation, or particular method of carrying on * * * [same] is dangerous or injurious to the health of minors under 18 * * * employed therein, shall have power to adopt rules and regulations prohibiting or regulating the employment of such minors therein"	1. Same as in C, above 2. Same as in B, above	I
	J Boy 18 Girl 21	Cleaning machinery in motion	1. Same as in C, above 2. Same as in B, above	J

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	K Boy 18 Girl of any age	Operating emery wheel, etc., where articles of the baser metals or of irridium are manufactured	1. Same as in C, above 2. Same as in B, above	K
	L Girl of any age	Work in brass, iron, or steel foundry, at or in connection with the making of cores where the oven in which the cores are baked is located and is in operation in the same room or space in which the cores are made	1. Same as in C, above 2. Same as in B, above	L
C L 1909 v 4 Penal C 40: Art 174 s 1937; Art 178 s 1982	M 18	Telegraph operator whose work is connected with the movement of trains	1. [No specific provision] 2. Same as in G, above	M
C L 1909 v 3 Liquor Tax C 34: Art 2 s 30 (as amended by 1910 C 494 and 1912 C 264), 36 (as amended by 1910 C 485)	N Boy 18 Girl of any age [See column III]	Selling or serving liquors *Exemptions:* Provision does not apply to: Girl over 18 who is a member of the employer's family	1. [No specific provision] 2. Same as in G, above, and also, in addition, liquor-tax certificate and right to secure same within 3 years after conviction shall be forfeited	N
C L 1909 v 4 Penal C 40: Art 174 s 1937 C L 1910 v 9 Railroad C 49: Art 3 s 63	O 21	Railroad car driver, conductor, motorman, etc.	1. [No specific provision] 2. Same as in G, above	O
C L 1909 v 4 Penal C 40: Art 44 s 488	P [See column III]	Sending messenger boy to saloon, or immoral, etc., place *Exemptions:* Delivering telegrams at the door of such house	1. [No specific provision] 2(a). Any offense Fine of $50	P
NORTH CAROLINA [Statutory prohibition adopted by popular vote, May, 1908; in effect Jan. 1, 1909] Pell's Revisal of 1908 Supplement 1913 C 45A s 1981ee(1), 1981ee(4), 1981ee(5)	A 12 [Employment 12 to 13 allowed only in apprenticeship capacity and after attending school 4 months in preceding 12—See Table 2, A]	Manufacturing establishment Factory [An earlier law (P R 1908 C 45A s 1981a, 1981b) contains provisions practically identical with these and might be interpreted to be superseded by the later law here tabulated. But the section of the earlier law containing the penalty was amended by 1915 C 148 s 3 so as to impose a penalty, not found in any former law, of a fine of not less than $500 or imprisonment for not less than 90 days for a second conviction of violation within 12 months—See P R 1908 C 45A s 1981d and C 81 following s 3362-3364 (as reenacted by 1915 C 148 s 3)]	1. Duty County superintendent of schools: Must investigate violations and report same to the solicitor of the judicial district in which they occurred [For powers of attendance officers in enforcement of compulsory school-attendance laws, which might indirectly result in the enforcement of these provisions, see Table 5, column VIII] 2(a). Any offense Violation a misdemeanor [See P R 1908 C 81 s 3293] [See also note in column III]	A
P R 1908 C 103 s 4931, 4943-4945, 4952 P R 1908 C 81 s 3797	B 12	Mine where more than 10 men are employed (Act shall not apply where fewer men are employed, but inspector may inspect such mines and shall enforce any regulations in accordance with its provisions which he may deem necessary)	1. Duty Mine inspector (State commissioner of labor and printing) 2(a). Any offense Minimum—$50 or imprisonment, or both Maximum—Fine or imprisonment for 30 days, or both	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
NORTH DAKOTA [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition adopted 1889] Compiled Laws 1913 s 1404, 1411, 1413 [For provision fixing minimum age of 12 in mines, factories, and workshops, see Constitution art 17 s 209]	A 14	Mercantile establishment Factory Workshop Mine Store Business office Telegraph office Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages Any business or service during school hours	1. Duty Peace officers: May inspect mines, factories, workshops, and mercantile establishments; Shall report cases of illegal employment therein to school board or board of education; May make complaint [For powers of school authorities in enforcement of certificate requirement, which might indirectly result in enforcement of these provisions, see Table 2, A–IX] 1. Power only Any person: May make complaint 2(a). Each offense Minimum—$20 Maximum—$50	A
C L 1913 s 1411–1413 [For prohibition of employment of child under 18 in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see C L 1913 s 9652, 9653, 9655]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling, or assisting in oiling, wiping or cleaning machinery Pin boy in bowling alley Operating or assisting in operating passenger or freight elevator "Theater, concert hall, or place of amusement wherein intoxicating liquors are sold" Any employment that may be considered dangerous to life or limb of child under 16, or where its health may be injured or morals depraved [See also note in column I]	1. Same as in A, above, including bracketed note 2. Same as in A, above	B
	C Girl 16	Employment requiring constant standing	1. Same as in A, above, including bracketed note 2. Same as in A, above	C
C L 1913 s 9689	D 18	Pool or billiard hall, bowling alley, or temperance saloon, or any place where games of pool, billiards, bowling, or cards are played	1. [No specific provision] 2(a). Any offense Minimum—$5 or imprisonment, or both Maximum—$50 or imprisonment for 30 days, or both	D

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OHIO **[For public exhibitions, see Table 7]** Page and Adams' Annotated General Code 1912 s 871-22 (as added by 1913 p 95), 871-24 (as added by 1913 p 95), 980, 7770 (as amended by 1913 p 864), 7771 (as amended by 1914 p 225), 12968 (as amended by 1913 p 900), 12986	A 14 **[See note in B-III, below]**	Begging Peddling Any immoral, etc., purpose or practice Any business or vocation injurious to health or dangerous to life or limb of child under 14 **[See provisions in E and G, below]** **[See note in B-III, below]**	1. Duty State industrial commission Truant officers 2(a). Any offense Maximum—$200 or imprisonment for 6 months, or both (Any person convicted of a violation of any law relating to employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	A
P & A A G C 1912 s 871-24 (as added by 1913 p 95), 12993 (as amended by 1913 p 864), 13007-7 (as added by 1913 p 864), 13007-9 (as added by 1913 p 864), 13007-10 (as added by 1913 p 864) [P & A A G C 1912 s 7765 (as amended by 1913 p 864) and 7766 (as amended by 1914 p 129) by requiring a certificate which proves boy to be 15 and girl to be 16 apparently makes those ages the minimum for employment in all occupations—See Table 2, B]	B Boy 15 Girl 16	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement house, manufactory or workshop" Store Office Office building Restaurant Boarding house Bakery Barber shop Hotel Apartment house Bootblack stand or establishment Public stable Garage Laundry Place of amusement **[But see provisions in F, below]** Club Driver Brick or lumber yard Construction or repair of buildings Distribution, transmission, or sale of merchandise **[For transmission of messages, see provisions in D, below]** [P & A A G C 1912 s 7765 (as amended by 1913 p 864) and 7766 (as amended by 1914 p 129) by requiring a certificate which proves boy to be 15 and girl to be 16 apparently makes those ages the minimum for employment in all occupations—See Table 2, B]	1. Duty Factory inspectors [State industrial commission] Truant officers Other officers charged with the enforcement of laws relating to employment of minors 1. Power only Any person: May prosecute violations 2(a). First offense Minimum—$5 Maximum—$50 2(a). Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2(a). Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B
	C 15 **[See note in column I]**	Employment in any business "during any of the hours when the public schools * * * are in session" **[See last bracketed note in B-III, above]**	1. Same as in B, above 2. Same as in B, above	C

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
OHIO—Continued	D Boy 15 Girl 21	**Transmission of messages**	1. Same as in B, above 2. Same as in B, above	D
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13001–13003 (as added by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864) [The provisions tabulated in E apparently supersede P & A A G C 1912 s 944, prohibiting employment in mine of boy under 14 or under 15 during school hours]	E 16	**Certain dangerous, etc., occupations, including:** Work at certain machines, etc. Work in certain processes, etc., including those in which dangerous or poisonous acids are used Oiling, wiping, or cleaning machinery or assisting therein [See provisions in G and H, below] Upon steam, electric, or hydraulic railroad [See provisions in G, below] **Upon vessel or boat engaged in navigation or commerce within the jurisdiction of State [See provisions in G, below]** **Manufacture of paints, etc.** **Manufacture, etc., of compositions with dangerous or poisonous gases** Mine [See provisions in H, below] Coal breaker [See provisions in H, below] Quarry [See provisions in H, below] Assorting, manufacturing, or packing tobacco **Bowling alley or pool or billiard room** **Any particular trade, process of manufacture**, or occupation, or any particular method of carrying on same, in which the employment of children under 16 is not already forbidden by law, which may be determined by State board of health (from whose decision appeal may be made to the common pleas court) to be sufficiently dangerous to life or limb or injurious to the health or morals of such children to justify their exclusion therefrom [See also P & A A G C 1912 s 12972, 12973]	1. Same as in B, above 2. Same as in B, above	E
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13007–8 (as added by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864)	F Boy 16 Girl 18	**Theater or other place of amusement** *Exemptions:* **On the stage in above when not otherwise prohibited by law**	1. Same as in B, above 2. Same as in B, above	F

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P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13007–3 (as added by 1913 p 864), 13007–4 (as added by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864)	G 18	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc. Blast furnace Running or management of elevator or lift Oiling or cleaning machinery in motion Brakeman, fireman, engineer, motorman, or conductor upon railroad Railroad telegraph operator Pilot, fireman, or engineer upon boat or vessel Distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled Hotel, theater, concert hall, place of amusement, or other establishment where intoxicating liquors are sold [See provisions in J, below] Any particular trade, process of manufacture, or occupation, or any particular method of carrying on same, in which the employment of children under 18 is not already forbidden by law, which may be determined by State board of health (from whose decision appeal may be made to the common pleas court) to be sufficiently dangerous to life or limb or injurious to the health or morals of such children to justify their exclusion therefrom	1. Same as in B, above 2. Same as in B, above	G
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13007–6 (as added by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864)	H Girl 21	Mine Quarry Coal breaker Oiling or cleaning machinery while in motion *Exemptions:* In office in or about mine, quarry, or coal breaker	1. Same as in B, above 2. Same as in B, above	H
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13005 (as amended by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864)	I Girl 21	Employment compelling constant standing	1. Same as in B, above 2. Same as in B, above	I
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 13007–5 (as added by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864)	J 21	Employment in saloon or barroom where intoxicating liquors are sold or in handling intoxicating liquors in any way	1. Same as in B, above 2. Same as in B, above	J

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
OKLAHOMA [For street trades, see Table 6] [For public exhibitions, see Table 7]	A 14	Factory Factory-workshop Theater Bowling alley Pool hall Steam laundry	1. Duty State commissioner of labor 2(a). Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both	A
[Constitutional prohibition adopted Sept. 17, 1907] Constitution art 23 s 3 Revised Laws 1910 s 3728, 3729, 3742, 3745	B 15	Any occupation injurious to health or morals or especially hazardous to life or limb (These occupations are to be determined by State commissioner of labor, whose decision is final until reversed by law)	1. Same as in A, above 2. Same as in A, above	B
	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling or assisting in oiling, wiping, or cleaning dangerous machinery while in motion Operating dangerous machinery Operating or assisting in operating passenger or freight elevator	1. Same as in A, above 2. Same as in A, above	C
	D Girl 16	Any employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	D
Con art 23 s 4 R L 1910 s 3739, 3742	E Boy 16 Girl of any age	"Underground in any mine or quarry"	1. Duty State mine inspector 2. Same as in A, above	E
OREGON [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition adopted Nov. 3, 1914; in effect Jan. 1, 1916]	A 12 [Employment 12 to 14 allowed only during vacation extending over term of 2 weeks in "suitable work" on	Mercantile establishment Factory Workshop Store Business office Restaurant Bakery Hotel Apartment house	1. Duty State commissioner of labor statistics and inspector of factories and workshops: Shall cause the enforcement of all laws regulating the employment of children, minors, and women Truant officers (in counties of less than 100,000): Shall see that the child labor law is enforced State board of inspectors of child labor or deputy of said board:	A

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Lord's Oregon Laws 1910 s 4121 (as amended by 1911 C 243), 5016, 5023–5024 (as amended by 1911 C 138), 5032–5033 (as amended by 1911 C 138), 5035 (as amended by 1911 C 138) [A minimum age of 16 for employment in laundries is fixed by the board of inspectors of child labor by interpreting the clause "physically able to perform the work" into "no child under 16 is physically able to work in laundries"]	permit issued in "careful discretion" of board of inspectors of child labor]		May inspect factories, workshops, and mercantile establishments; Shall report violations therein to school authorities and to district attorney 2(a). First offense Minimum—$10 Maximum—$25 2(a). Second offense Minimum—$25 Maximum—$50 2(a). Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days	
	B 14	Work or labor of any form during school term	1. Same as in A, above 2. Same as in A, above	B
	C 16	Telegraph, telephone, or public messenger service [See note in column 1]	1. Same as in A, above 2. Same as in A, above	C
L O L 1910 s 5016 1911 C 74 s 1	D 16	Giving signals to engineers in logging operations or receiving and forwarding such signals	1. Duty State commissioner of labor statistics and inspector of factories and workshops: Has duties as specified in A, above 2(a). Any offense Minimum—$10 or imprisonment for 30 days, or both Maximum—$100 or imprisonment for 6 months, or both	D
	E 18	Engineer of, or having charge of, or operating logging engine or engines used in logging operations	1. Same as in D, above 2. Same as in D, above	E
L O L 1910 s 5016, 5062, 5063	F 18	Running, operating, or having charge of elevator used for the purpose of carrying persons or property	1. Same as in D, above 2. Same as in D, above	F
L O L 1910 s 2062, 2063, 2142, 2147, 5016 [Proprietor of saloon, etc., is prohibited by L O L 1910 s 2142 from permitting any minor to remain in such place, and by s 2147 from permitting any female under 21 to remain in or about such place, but the latter section does not apply to female accompanied by husband or guardian, or to any open and public restaurant or dining room]	G Minor	Going into immoral, etc., places, on request or order of person, firm, or corporation	1. Same as in D, above, in so far as this provision relates to employees 2(a). Any offense For person Minimum—$100 or imprisonment, or both Maximum—$250 or imprisonment for 1 year, or both For corporation Minimum—$500 Maximum—$1,000	G

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
OREGON—Continued 1911 C 219 s 1, 3 1911 C 279 s 74	H 21	Flagman or employee in connection with the operation of passenger train	1. Duty Public service commission 2(a). Any offense Minimum—$500 Maximum—$2,000	H
1913 C 62 s 1–20	I [Power of commission extends over minors under 18 and women]	[The industrial welfare commission may fix standard conditions of labor, but no order of the commission shall permit employment under any conditions now prohibited by law]	[See column III]	I
PENNSYLVANIA [For street trades, see Table 6] [For public exhibitions, see Table 7] 1915 Pamphlet Laws 286 s 1, 2, 5, 23, 24 [The act tabulated in A, B, C, and D is in effect Jan. 1, 1916] [For minimum age of 16 for employment in operation, care, custody, or control of	A 14	Any establishment (Any place where work is done for compensation of any kind, to whomever payable) Any occupation *Exemptions:* Farm work Domestic service in private homes	1. Duty State commissioner of labor and industry Attendance officers Police officers 2(a). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both [For provision in compulsory education law penalizing employer for employing child 8 to 14 during school hours, see 1911 P L 309 s 1421; S P D Supp 1912 p 114 (as amended by 1915 P L 174), 1911 P L 309 s 1422; S P D Supp 1912 p 115 (as amended by 1915 P L 174), and 1911 P L 309 s 1434; S P D Supp 1912 p 113]	A

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any elevator or lift, see 1905 P L 352 s 4, 21, 23; Stewart's Purdon's Digest Supplement 1905-1909 v 5 pp 5483, 5486, 5487]	B 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, including preparing any composition in which dangerous leads or acids are used Manufacture of paints, etc. Stripping, assorting, or manufacturing tobacco Public bowling alley Pool room Billiard room Employment upon any railroad, steam, electric, or otherwise Employment upon boat engaged in transportation of passengers or merchandise Mine (including anthracite and bituminous coal mine) Blast furnace Distillery, brewery, or any establishment where alcoholic liquors are manufactured or bottled [See note in column 1]	1. Same as in A, above 2. Same as in A, above	B
	C 18	Oiling or cleaning machinery in motion Brakeman, fireman, engineer, motorman, or conductor upon a railroad or railway Pilot, fireman, or engineer upon any boat or vessel Any other occupation declared by the industrial board of the department of labor and industries to be dangerous to the life or limb, or injurious to the health or morals of child under 18	1. Same as in A, above 2. Same as in A, above	C
	D 21	Saloon or barroom where alcoholic liquors are sold	1. Same as in A, above 2. Same as in A, above	D
1909 P L 59 s 1; Stewart's Purdon's Digest Supplement 1905-1909 v 5 p 5224	E Any minor	Sending minor to immoral, etc., place (Prohibition applies to any firm or corporation having authority over minor)	1. [No specific provision] 2(a). Any offense Maximum—$1,000 or imprisonment for 1 year, or both	E
1879 P L 142 s 2; S P D 1903 v 2 p 1875 1879 P L 142 s 6; S P D 1903 v 2 p 1877 1879 P L 142 s 8; S P D 1903 v 2 p 1877	F Any minor	Any illegal or immoral, etc., vocation Vocation injurious to health or dangerous to life or limb Any immoral purpose	1. *Duty* Constables and policemen: Shall aid in bringing offenders before magistrate or justice of the peace, who shall issue warrants 1. Power only Mayors (in cities of the first class) Agents of any humane society: May, when so authorized, act as police officers or constables, with power to arrest offenders Any person: May make complaint 2(a). Each offense Minimum—$50 Maximum—$100	F

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
PENNSYLVANIA—Continued 1879 P L 73 s 2; S P D 1903 v 1 p 320 1879 P L 73 s 3; S P D 1903 v 1 p 323	G Girl of any age	In any city of the first class: Attending among, or waiting upon audience or spectators at theatrical exhibitions, acrobatic performances, or other places of public amusement in procuring, offering, furnishing, or distributing "any description of commodities or refreshments whatsoever"	1. Power only Mayors (in cities of the first class): May annul licenses 2(a). Any offense Maximum—$500 or imprisonment for 1 year, or both	G
1878 P L 9 s 1; S P D 1903 v 2 p 2320 1878 P L 9 s 2; S P D 1903 v 2 p 2320 1878 P L 9 s 3; S P D 1903 v 2 p 2309	H Girl of any age	Selling, vending, offering, procuring, furnishing, or distributing intoxicating drinks or any admixture thereof, ale, beer, wine, or cider in any saloon, hotel, tavern, eating house, or other place where intoxicating liquors are sold, or employment as lady conversationalist in any such place *Exemptions:* Provision does not apply to: Wife or daughter of any person having a license for selling liquors	1. [No specific provision] 2(a). Any offense Minimum—$100 or imprisonment for 3 months, or both Maximum—$500 or imprisonment for 1 year, or both (In addition to above penalty, license shall be forfeited)	H
1885 P L 202 s 1; S P D 1903 v 2 p 1662 1903 P L 180 s 4; S P D 1903 v 3 p 2551	I Girl of any age	Employment in or about any coal mine or manufactory of coal *Exemptions:* Employment in office or in clerical work at "such mine or colliery" [For earlier law prohibiting employment of girl of any age in anthracite coal mine, see 1891 P L 176 No 177 art 9 s 1, and 1891 P L 176 No 177 art 17 s 4; S P D 1903 v 3 p 2583, and for later law prohibiting such employment in bituminous coal mine where more than 10 persons are employed, see 1911 P L 756 art 18 s 1, 2; S P D Supp 1912 p 414 and art 19 s 11, art 26 s 2, art 28 s 3; S P D Supp 1912 pp 416, 427, 428]	1. Duty Chief of the State department of mines 2(a). Any offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 6 months, or both	I
PHILIPPINE ISLANDS [For public exhibitions, see Table 7] 1908 No 1868 s 2 (as amended by 1913 No 2258), 4 Penal Code 1911 art 489 p 117	A 16	Inducing child to leave home of parent, etc., to accompany habitual vagrant or beggar	1. Duty Philippine Bureau of Labor 2(a). Any offense Minimum—125 pesetas and the penalty of prisión correccional in its minimum and medium degrees Maximum—1,250 pesetas and the penalty of prisión correccional in its minimum and medium degrees	A

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PORTO RICO **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** 1913 No 42 s 3, 5 (as amended by 1913 Extraordinary Session No 139), 8 (as amended by 1913 Extraordinary Session No 139), 12-14 1913 Extraordinary Session No 139 s 6 **[For prohibition of employment under 12 in begging, peddling, or in any mendicant or wandering business, see Revised Statutes and Codes 1911 s 5422, 5707]**	A 10 **[Employment permitted 10 to 16 only on "certificate"—See Table 2]**	Any lucrative occupation ("Lucrative occupation" includes all work or works in factories, mills, centrals, machine shops, or establishments or places of any kind where a factory or mechanical enterprise is carried on; in storehouses, stores, establishments, or places of any kind where mercantile transactions are carried on, or estates, plantations, farms, or places of any kind where agriculture, horticulture, or pasturing is carried on, and in all enterprises of mining or fishing) *Exemptions:* Provision does not apply to: Children 10 to 16 who are employed in picking or gathering coffee or in planting, picking, or tending in the field any agricultural or horticultural products in company with or under the direct personal supervision of their parents, guardians, or relatives over 16 years of age	1. Duty Porto Rican Bureau of Labor 2(a). First offense Minimum—$25 Maximum—$100 2(a). Subsequent offense Minimum—$100 Maximum—$1,000	A
	B 14	Begging or receiving alms, or any form of mendicity [See note in column I] Labor or practice which is dangerous or injurious to health or morals Manufacturing, using, or selling malt or alcoholic liquor *Exemptions:* Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
	C Girl 16	Employment requiring constant standing, in any establishment (The term "establishment" includes all buildings, factories, workshops, stores, or other places of a like kind where any lucrative occupation exists) [For definition of lucrative occupation, see A–III, above]	1. Same as in A, above 2. Same as in A, above	C
RHODE ISLAND **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** General Laws 1909 C 78 s 1 (as amended by 1915 C 1253), 2, 3 (as amended by 1910 C 576), 12	A 14	Manufacturing establishment Factory Business establishment (Every person, firm, or corporation employing any child under 16 is subject to these provisions, whatever the business conducted) *Exemptions:* Provision does not apply to: Household service Agricultural pursuits Rope or wire walking, or employment as gymnast, wrestler, contortionist, equestrian performer, or acrobat, rider upon bicycle or mechanical contrivance, or in any dancing, theatrical, or musical exhibition [For provisions governing these occupations, see Table 7]	1. Duty State factory inspectors 2(a). Any offense Maximum—$500	A
G L 1909 C 78 s 3 (as amended by 1910 C 576), 6, 12	B 16	Cleaning machinery while in motion unless the same is necessary and is approved by factory inspectors as not dangerous	1. Same as in A, above 2. Same as in A, above	B

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
RHODE ISLAND — Continued G L 1909 C 139 s 4–6	C 16	Gathering or picking rags or collecting cigar stumps, bones, or refuse from markets Begging, or any mendicant or wandering occupation Any illegal or immoral, etc., purpose or practice Any business or vocation injurious to the health or morals or dangerous to the life or limb of child under 16	1. Power only Town sergeant, city chief of police, or any agent of the Rhode Island Society for the Prevention of Cruelty to Children: May enter any place where child may be detained or employed in violation of these provisions, and hold child as witness to testify upon trial of violator [See also G L 1909 C 139 s 1] 2(a). Each offense Maximum—$250 or imprisonment for 1 year, or both	C
G L 1909 C 129 s 16 (as amended by 1910 C 549)	D 18	Taking charge of or operating passenger elevator	1. Duty State factory inspectors Inspectors of buildings 2(a). Any offense Minimum—$5 Maximum—$10 (Each day's violation a separate offense)	D
G L 1909 C 123 s 13, 15, 48	E Any minor Girl of any age	Selling or serving intoxicating liquor *Exemptions:* Selling or serving in licensed tavern or licensed victualing house	1. Duty Special constables appointed by town councils 2(a). Any offense Minimum—$100 and imprisonment for 90 days, and disqualification from holding license for 5 years thereafter Maximum—$100 and imprisonment for 1 year, and disqualification from holding license for 5 years thereafter (In addition to incurring above penalty, employer shall forfeit $100 for each offense, to be recovered in an action for debt)	E

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SOUTH CAROLINA [Statutory prohibition enacted Sept. 14, 1915; in effect Jan. 1, 1916] 1912 Criminal Code C 16 s 422, 424 1912 Civil Code C 19 art 11 s 868, 872	A	12	Factory Textile establishment Mine	1. Power only State commissioner of agriculture, commerce, and industries, his agents and inspectors: May inspect factories and other establishments; May make investigations as to the employment of children [See also Table 2, A–IX] 2(a). Each offense Minimum—$10 or imprisonment Maximum—$50 or imprisonment for 30 days	A
	B	14	The following in factories: Cleaning gears, cams, or pulleys, or cleaning in dangerous proximity thereto, while the same are in motion	1. Same as in A, above 2. Same as in A, above	B
1912 No 405 s 1, 2, 5	C	14	In any city of 5,000 or over: Messenger for telegraph, telephone, or messenger company in the distribution or delivery of goods or messages	1. Duty State commissioner of agriculture, commerce, and industries 2. Same as in A, above	C
SOUTH DAKOTA [For public exhibitions, see Table 7] 1913 C 240 s 2–5, 8	A	[No minimum age is specified, but employment under 14 is permitted only on poverty permit—See Table 2, B]	Factory Workshop Mine [But see provisions in B and D, below] Mercantile establishment during school term	1. ["Every factory, workshop, mine, mercantile establishment or other place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the county superintendent of schools"] 2(a). Any offense Minimum—$10 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both	A
Revised Codes 1903 Political s 145 1913 C 240 s 4	B	14	Mine [See provisions in D, below]	1. Same as in A, above [R C 1903 Pol s 140, 142, provide for an inspector of mines, but his duties appear to relate only to safety] 2(a). Any offense Maximum—$1,000	B
1903 C 88 s 1, 3 1913 C 240 s 4	C	14	Concert hall or room where intoxicating liquors are sold or given away Variety theater Any illegal or immoral, etc., purpose or practice Any business or vocation injurious to the health or morals or dangerous to the life or limb of child under 14 Peddler Mendicant	1. Same as in A, above 2(a). First offense Maximum—$100 or imprisonment for 30 days, or both 2(a). Subsequent offense Maximum—$200 or imprisonment for 6 months	C

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
SOUTH DAKOTA—Continued 1907 C 135 art 7 s 150 1913 C 240 s 4	D 15	Any gainful occupation in the following during school hours: Manufacturing establishment Factory Mine Hotel Laundry Passenger or freight elevator Bowling alley "Saloon, theater, concert hall, or place of amusement where intoxicating liquors are sold" Messenger for any of the above Driver for any of the above Any other manner of work performed for wages or other compensation during school hours	1. Same as in A, above 2(a). Any offense Minimum—$10 Maximum—$50	D
1913 C 240 s 2–5, 8	E 16	"Any such occupation dangerous to life, health or morals" [The meaning of "such occupation" is not clear. It may mean "in factory, workshop, mine, or mercantile establishment"]	1. Same as in A, above 2. Same as in A, above	E
R C 1903 Pol s 2844 (as amended by 1909 C 247) R C 1903 Penal s 14 1913 C 240 s 4	F 21	Employment as bartender or in any other capacity in connection with place or room where intoxicating liquors are sold	1. Same as in A, above 2(a). Any offense Maximum—$500 or imprisonment for 1 year, or both	F
TENNESSEE [For street trades, see Table 6] [For public exhibitions, see Table 7] [Statutory prohibition enacted January, 1909; prohibition of sale in effect July 1, 1909; prohibition of manufacture in effect Jan. 1, 1910] 1909 C 124 s 1	A 14	Mill Factory Workshop Laundry Telegraph office Telephone office Distribution or transmission of merchandise Distribution or transmission of messages *Exemptions:* Fruit and vegetable canning factories	1. Duty Chief State inspector of "workshops and factories": Shall enforce all laws relating to "workshops and factories" (Term includes manufacturing, mills, mechanical, electrical, mercantile, art, and laundering establishments, printing, telegraph, and telephone offices, department stores, or any kind of establishment wherein labor is employed or machinery used); Has full power to enforce all labor laws except those relating to mining 2(a). Any offense Minimum—$25 Maximum—$250	A

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1911 C 57 s 1, 2 (as amended by 1913 First Extra Session C 47), 3, 6 1913 C 9 s 7 1913 C 11 s 2, 3 (as amended by 1915 C 170), 4, 5 (as amended by 1915 C 170), 6, 7, 9 1915 C 172 s 1	B 14	Any business or service which interferes with school attendance during any part of school term	1. Duty Same as in A, above, and also, Truant officers: Must enforce compulsory school-attendance law [See Table 5] May inspect office, factory, or business house employing children under 16 and require certificate of school attendance from children subject to said law 2. Same as in A, above	B
	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc. Oiling or cleaning machinery or assisting therein Mine Quarry	1. Same as in A, above [Provision is made in 1915 C 169 for the inspection of mines, but the specified powers and duties of the inspector do not appear to relate to child labor] 2. Same as in A, above	C
TEXAS Revised Criminal Statutes 1911 art 1589, 1590 1915 C 49 s 5-9	A (No age specified, but employment under 14 is prohibited unless child is lawfully excused from school attendance—See Table 5]	Any occupation during school hours	1. Duty Attendance officers or school superintendents and peace officers acting as attendance officers State commissioner of labor statistics: Must enforce if he "shall learn of any violation" of labor laws and has powers of inspection "where 5 or more persons are employed" 2(a). Each offense Maximum—$10 (After notification by school official, each day's violation a separate offense)	A
R Crim S 1911 art 1589, 1590 1911 C 46 s 1, 1a, 2, 2a	B 15	Certain dangerous, etc., occupations, including: Manufacturing or other establishment using dangerous machinery Employment "about the machinery in any mill or factory" Distillery Brewery Employment "where their health may be impaired or morals debased" Sending child to any immoral, etc., place	1. Duty State commissioner of labor statistics: Must enforce if he "shall learn of any violation" of labor laws; Shall be given free access to establishments "to insure compliance with" these provisions 2(a). Any offense Minimum—$50 Maximum—$200 (Each day's violation a separate offense)	B
	C 17	Quarry Mine	1. Same as in B, above [Revised Civil Statutes 1911 art 5923–5946 provide for an inspector of mines and define his duties, but they apparently relate only to safety and sanitation] 2. Same as in B, above	C

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
TEXAS—Continued R Crim S 1911 art 622, 631, 1589, 1590	D Any minor	Any employment in place of business of retail liquor dealer or malt liquor dealer	1. Duty State commissioner of labor statistics: Has duties and powers as specified in A, above Tax collector, sheriff, deputy sheriff, constable, or other peace officer: Shall report known violations to county attorney (Tax collector shall also investigate reported violations) 2(a). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both	D
R Crim S 1911 art 626, 631, 1589, 1590	E Girl of any age	Servant, bartender, or waitress in place of business of retail liquor dealer or retail malt dealer *Exemptions:* Provision does not apply to: Employment of member of employer's family in his own place of business	1. Same as D in , above 2(a). Any offense Maximum—$500 or imprisonment for 12 months, or both	E
UTAH [For street trades, see Table 6] [For public exhibitions, see Table 7] Constitution art 16 s 3 Compiled Laws 1907 s 1338, 4065 1911 C 113 s 4 (as amended by 1913 C 76)	A Boy 14 Girl of any age	Mine Smelter	1. Duty State commissioner of immigration, labor, and statistics: Must "investigate and report to the proper authorities all violations of law regarding the conditions surrounding the employment of children, minors and women and the laws established for the protection of all employees in factories, mines, mills, and other institutions where labor is employed" [C L 1907 s 1507–1524 provide for an inspector of mines, but his duties apparently relate only to health and safety] 2(a). Any offense Maximum (for individual)—$300 or imprisonment for 6 months, or both Maximum (for corporation)—$1,000	A

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1911 C 113 s 4(as amended by 1913 C 76) 1911 C 144 s 1 (as amended by 1915 C 61), 5, 13, 14	B 14	Certain dangerous, etc., occupations, including· Work in certain processes, including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Quarry Mine [See provisions in A, above] Coal breaker Laundry Tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared Cigar store or stand or tobacco store or place where tobaccos are sold at wholesale or retail. Distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled [See provisions in C, below] Theater Concert hall Saloon [See provisions in C, below] Pool room Running or management of elevator or lift Bowling alley Any other employment declared by the State board of health to be dangerous to life or limb, or injurious to the health or morals of child under 14	1. Duty Same as in A, above, and also, "Any authorized inspector" [State commissioner of immigration, labor, and statistics] or truant officer: Shall demand from "any employer" proof of age of child apparently under 14, and forbid employment if such proof be not produced 2(a). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	B
1911 C 106 s 10, 23, 24, 65 1911 C 113 s 4 (as amended by 1913 C 76) [For prohibition of employment of girl of any age in any "licensed premises," see 1911 C 106 s 28, 65]	C 21	Handling intoxicating liquors, or packages containing same, in brewery or bottling establishment in which such liquors are prepared or offered for sale Serving intoxicating liquors to be drunk on the premises	1. Same as in A, above, excluding bracketed note 2(a). First offense (For individual) Minimum—$50 or imprisonment for 30 days, or both Maximum—$299 or imprisonment for 6 months, or both (For corporation) Minimum—$100 Maximum—$1,000 2(a). Subsequent offense (For individual) Minimum—$50 and imprisonment for 30 days Maximum—$299 and imprisonment for 6 months (For corporation) Minimum—$300 Maximum—$5,000 (In addition to above penalties, license may and in case of "licensed dealer" must be revoked on conviction of violation, and no license shall thereafter be granted)	C
1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 7, 14	D 21	Delivering messages or goods to, or visiting, "in the course of any employment," any immoral, etc., place, saloon, or other place of objectionable character which has been disapproved by the juvenile court	1. Same as in A, above, excluding bracketed note 2. Same as in B, above	D
1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 6, 14	E Girl 21	"Restaurant, resort or place of amusement where alcoholic liquors are manufactured or dispensed"	1. Same as in A, above, excluding bracketed note 2. Same as in B, above	E

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
VERMONT Public Statutes 1906 C 50 s 1045 (as amended by 1912 No 75 s 11), 1046 (as amended by 1912 No 75 s 12), 1048 (as amended by 1910 No 70 s 8), 1049 1910 No 70 s 5, 6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3, 5	A 14	The following where more than 10 persons are employed: Mill Factory Quarry Workshop	1. Duty Town or union superintendent [of schools] State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Truant officers "All informing officers": May make complaint 2(a)(b). First offense Minimum—$5 Maximum—$200 2(a)(b). Second offense Minimum—$5 or imprisonment Maximum—$200 or imprisonment for 6 months	A
P S 1906 C 50 s 1044 (as amended by 1912 No 75 s 10), 1045 (as amended by 1912 No 75 s 11), 1048 (as amended by 1910 No 70 s 8), 1049 1910 No 70 s 5, 6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3 [See Table 5, B, for later provision permitting child whose services are necessary for support of those dependent on him to leave school at 15 if he has completed sixth grade]	B [No age specified, but employment under 16 is not permitted unless child is a graduate from the elementary schools—See note in column I]	Work connected with the following during school hours: Manufacturing Railroading Mining Quarrying Employment in the following during school hours: Hotel Bowling alley Delivery of messages [This is not a direct minimum age provision, but it practically fixes an approximate minimum age for employment in these occupations, certain of which are otherwise unregulated]	1. Same as in A, above 2. Same as in A, above	B

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P S 1906 C 50 s 1048 (as amended by 1910 No 70 s 8) 1910 No 70 s 2, 4–6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3, 5	**C 16**	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling, wiping, or cleaning machinery or assisting therein Cigar factory or other factory where tobacco is manufactured or prepared	1. Duty State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Town or city grand juror, State's attorney, or the attorney general: May require parent's or guardian's certificate of age (see Table 2, B) to prove legal employment **2. Same as in A, above**	C
P S 1906 C 50 s 1048 (as amended by 1910 No 70 s 8) 1910 No 70 s 3–5 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3	**D Girl 18**	**Employment requiring constant standing**	**1. Same as in C, above** **2. Same as in A, above**	D
P S 1906 C 219 s 5130 (as amended by 1908 No 128 s 2, and by 1912 No 197 s 1), 5160, 5170–5172, 5215 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3	**E Boy under 21 Girl of any age**	**Barroom [holding license to sell liquors to be drunk on the premises]** **[Section 56 of Act No 171 of the Acts of 1915, entitled "An act to prohibit the sale of intoxicating liquors," repeals chapter 219 of the Public Statutes, as amended, containing the provision here tabulated, but section 57 of the same act further provides that the act shall take effect on May 1, 1916, if adopted by popular vote in 1916, otherwise on May 1, 1927]**	1. Duty Board of license commissioners: On complaint Constable, police officers, sheriff, or deputy sheriff: Shall report observed or reported violations to above board State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Any citizen: **May make complaint** **2(a). Any offense** Minimum—$50 or imprisonment for 1 month, or both Maximum—$200 or imprisonment for 3 months, or both (License must be revoked by board of license commissioners for violation)	E
VIRGINIA **[For street trades, see Table 6]** **[For public exhibitions, see Table 7]** **Code 1904 s 1790 c(7) (as added by 1914 C 321) C 1904 s 3657bb**	**A 12**	**Manufacturing operation** **Mechanical operation** **Mining operation [See provisions in D, below]**	1. Duty State commissioner of labor (chief factory inspector): "Shall secure the enforcement of all laws * * * relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions" **2(a). Any offense** **Minimum—$25** **Maximum—$100**	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
VERMONT Public Statutes 1906 C 50 s 1045 (as amended by 1912 No 75 s 11), 1046 (as amended by 1912 No 75 s 12), 1048 (as amended by 1910 No 70 s 8), 1049 1910 No 70 s 5, 6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3, 5	A 14	The following where more than 10 persons are employed: Mill Factory Quarry Workshop	1. Duty Town or union superintendent [of schools] State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Truant officers "All informing officers": May make complaint 2(a)(b). First offense Minimum—$5 Maximum—$200 2(a)(b). Second offense Minimum—$5 or imprisonment Maximum—$200 or imprisonment for 6 months	A
P S 1906 C 50 s 1044 (as amended by 1912 No 75 s 10), 1045 (as amended by 1912 No 75 s 11), 1048 (as amended by 1910 No 70 s 8), 1049 1910 No 70 s 5, 6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3 [See Table 5, B, for later provision permitting child whose services are necessary for support of those dependent on him to leave school at 15 if he has completed sixth grade]	B [No age specified, but employment under 16 is not permitted unless child is a graduate from the elementary schools—See note in column I]	Work connected with the following during school hours: Manufacturing Railroading Mining Quarrying Employment in the following during school hours: Hotel Bowling alley Delivery of messages [This is not a direct minimum age provision, but it practically fixes an approximate minimum age for employment in these occupations, certain of which are otherwise unregulated]	1. Same as in A, above 2. Same as in A, above	B

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P S 1906 C 50 s 1048 (as amended by 1910 No 70 s 8) 1910 No 70 s 2, 4–6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3, 5	C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. Oiling, wiping, or cleaning machinery or assisting therein Cigar factory or other factory where tobacco is manufactured or prepared	1. Duty State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Town or city grand juror, State's attorney, or the attorney general: May require parent's or guardian's certificate of age (see Table 2, B) to prove legal employment 2. Same as in A, above	C
P S 1906 C 50 s 1048 (as amended by 1910 No 70 s 8) 1910 No 70 s 3-6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3	D Girl 18	Employment requiring constant standing	1. Same as in C, above 2. Same as in A, above	D
P S 1906 C 219 s 5130 (as amended by 1908 No 128 s 2, and by 1912 No 197 s 1), 5160, 5170–5172, 5215 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3	E Boy under 21 Girl of any age	Barroom [holding license to sell liquors to be drunk on the premises] [Section 56 of Act No 171 of the Acts of 1915, entitled "An act to prohibit the sale of intoxicating liquors," repeals chapter 219 of the Public Statutes, as amended, containing the provision here tabulated, but section 57 of the same act further provides that the act shall take effect on May 1, 1916, if adopted by popular vote in 1916, otherwise on May 1, 1927]	1. Duty Board of license commissioners: On complaint Constable, police officers, sheriff, or deputy sheriff: Shall report observed or reported violations to above board State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Any citizen: May make complaint 2(a). Any offense Minimum—$50 or imprisonment for 1 month, or both Maximum—$200 or imprisonment for 3 months, or both (License must be revoked by board of license commissioners for violation)	E
VIRGINIA [For street trades, see Table 6] [For public exhibitions, see Table 7] Code 1904 s 1790 c(7) (as added by 1914 C 321) C 1904 s 3657bb	A 12	Manufacturing operation Mechanical operation Mining operation [See provisions in D, below]	*1. Duty* State commissioner of labor (chief factory inspector): "Shall secure the enforcement of all laws * * * relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions" 2(a). Any offense Minimum—$25 Maximum—$100	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467-475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
VIRGINIA—Continued C 1904 s 1790 c(7) (as added by 1914 C 321) 1908 C 301 s 1 (as amended by 1914 C 339), 4 (as amended by 1914 C 339), 6 (as amended by 1914 C 339)	B 12 [Employment 12 to 14 permitted only on "release" by court—See Table 2, A]	Mercantile establishment Factory Workshop Mine [See provisions in D, below] Laundry Bakery Brickyard Lumberyard Distribution, transmission, or sale of merchandise during school hours Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages in any city of 5,000 population or over according to 1910 census *Exemptions:* Factory engaged exclusively in packing fruits and vegetables, between July 1 and Nov. 1 Mercantile establishment in any town of less than 2,000, or in a country district Employment of child by his parent in factory, workshop, mercantile establishment, laundry, or other place owned or operated by said parent [See provisions in A, above]	1. Same as in A, above 2(a). Any offense Minimum—$25 Maximum—$100 (Above penalty is incurred for employment contrary to law in "factory, workshop, mercantile establishment or laundry")	B
C 1904 s 1790 c(7) (as added by 1914 C 321) C 1904 s 3795a (2), 3795a(3), 3795a(7), 3795a(8) [See also C 1904 s 3795 a(1) (as amended by 1908 C 282), 1910 C 347 s 3, and 1914 C 228 s 1, for laws prohibiting sending child under 18 to saloon or immoral, etc., place, or endangering health or morals of child]	C 14	Begging Any immoral, etc., purpose or practice Any business or vocation injurious to the health or morals or dangerous to the life and limb of child under 14	1. Same as in A, above 2(a). Any offense Maximum—$200 or imprisonment for 12 months, or both	C

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1912 C 178 s 3, 14, 15, 24	D Boy 14 Girl of any age	Coal mine where 5 or more persons are employed in a 24-hour period	1. Duty State mine inspector 2(a). Any offense Minimum—$10 or imprisonment for 10 days Maximum—$500 or imprisonment for 90 days	D
C 1904 s 1790c(7) (as added by 1914 C 321) 1914 C 158 s 3 [Statutory prohibition enacted Sept. 22, 1914; in effect Nov. 1, 1916]	E Boy 21 Girl of any age	Employment in any place where intoxicating liquors are manufactured, bought, sold, packed, or shipped [See note in column 1] *Exemptions:* Hotel Mercantile establishment in the country Female whose full time is employed as bookkeeper, stenographer, cashier, or office assistant	1. Same as in A, above 2(a). Any offense Minimum—$5 Maximum—$20 (Above penalty is incurred for engaging or contracting for employment)	E
C 1904 s 1790c(7) (as added by 1914 C 321) 1910 C 190 s 19, 27	F Any minor Girl of any age	Saloon	1. Same as in A, above 2(a). First offense Minimum—$50 or $50 and imprisonment Maximum—$100 or $100 and imprisonment for 60 days 2(a). Subsequent offense Minimum—$100 and imprisonment for 6 months, or same fine and, if his physical condition permits, work on the roads for same period Maximum—Fine and imprisonment for 12 months, or fine and, if his physical condition permits, work on the roads for same period (Any violation serves to revoke license, and no license shall thereafter be granted to violator for 2 years) [For bonds required in cases of violation, see 1910 C 190 s 27]	F
WASHINGTON [For street trades, see Table 6] [For public exhibitions, see Table 7] Pierce's Code 1912 title 291 s 101, 151, 153	A 12 [Employment 12 to 14 allowed only on permit and in occupations not, in judgment of issuing officer, dangerous or injurious to health or morals—See Tables 2 and 3, A]	Factory Mill Workshop Store	1. Duty State commissioner of labor and his assistants 2(a). Each offense Minimum—$10 or imprisonment, or both Maximum—$500 or imprisonment for 6 months, or both	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
WASHINGTON—Continued P C 1912 t 135 s 27, 389 P C 1912 t 291 s 101	B [No age specified, but employment of boy under 14 and girl under 16 allowed only on special permit—See Tables 2 and 3, B]	Store Shop Factory Mine [But see provisions in D, below] Any inside employment *Exemptions:* Inside employment connected with: Farm work Housework	1. Same as in A, above 2(a). Any offense Maximum—$250 or imprisonment for 90 days	B
P C 1912 t 291 s 101, 151, 153 [P C 1912 t 291 s 151 may have been repealed by 1909 C 249 s 52]	C Boy 14 Girl 19 [Employment of boy 14 to 19 allowed only on special permit—See Tables 2 and 3, C]	In any city of first class: Public messenger in the employ of any person, telegraph, telephone, or messenger company	1. Same as in A, above 2. Same as in A, above	C
P C 1912 t 291 s 101 P C 1912 t 345 s 143, 163	D Boy 16 Girl of any age	Inside employment in [coal] mine	1. Same as in A, above 2(a). Any offense Minimum—$200 Maximum—$500	D
	E Boy 14	Employment in outside structures or workings of colliery *Exemptions*: Provision does not apply to: Employment of "boys of suitable age" in office or in clerical work	1. Same as in A, above 2. Same as in D, above	E

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P C 1912 t 135 s 27, 387, 1495 P C 1912 t 291 s 101 [For prohibition of employment of any minor in selling, etc., any publication devoted to accounts of criminal or immoral, etc., deeds, which is tabulated in Table 6, but which may refer to other than street employment, see P C 1912 t 135 s 29, 413; t 291 s 101] [Statutory prohibition adopted Nov. 3, 1914; in effect Jan. 1, 1916] [Proprietor of saloon, etc., is prohibited by P C 1912 t 135 s 389 from admitting any person under 21 to such place or allowing such person to remain therein]	F 18	Begging, receiving alms, or any mendicant occupation Any immoral, etc., practice Any practice dangerous or injurious to life, limb, health, or morals Messenger for delivering letters, telegrams, packages, or bundles to any immoral place	1. Same as in A, above 2(a). Any offense Maximum—$250 or imprisonment for 90 days	F
	G Girl of any age [See note in column I]	Saloon, beer hall, barroom, theater, or place of amusement where intoxicating liquors are sold as a beverage	1. Same as in A, above 2(a). Any offense Minimum—$500 or $500 and imprisonment for 6 months	G
P C 1912 t 291 s 101 P C 1912 t 413 s 839, 841, 843, 845	H [No age specified, but employment under 15 permitted only on certificate—See Tables 2 and 3, D]	Any occupation during school hours	1. Duty State commissioner of labor and his assistants Attendance officers: Have duty of enforcement; May inspect stores, mills, shops, and other places where children may be employed 2(a). Any offense Maximum—$25	H
1913 C 174 s 1-20 1915 C 68 s 1	I [Power of commission extends over women and minors]	[The industrial welfare commission may establish such standard conditions of labor for women and minors as shall be held to be reasonable and not detrimental to health and morals. Under this power the commission has prohibited the employment of any female under 18 in the occupation of "shaker" in any laundry establishment]	[See column III]	I
WEST VIRGINIA [For street trades, see Table 6] [For public exhibitions, see Table 7] [Constitutional prohibition adopted Nov. 5, 1912; in effect July 1, 1914]	A 14	Manufacturing establishment Factory Mill Workshop	1. Duty Prosecuting attorney Truant officers, inspectors of factories, and authorized agents of the humane society: Shall expose all violations to prosecuting attorney 2(a). Each offense Minimum—$10 Maximum—$50	A

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–475 should be borne in mind]

State References I		Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
WEST VIRGINIA—Continued Hogg's Code 1913 C 15H s 530, 532, 533	B	[No age specified, but employment under 14 allowed only on special permit—See Tables 2 and 3, C]	Any business or service during school hours [But see provisions in A, above, for occupations apparently prohibited under 14 at any time]	1. Same as in A, above 2. Same as in A, above	B
H C 1913 C 15H s 470 (as amended by 1915 C 10 s 11, 14), 485 (as amended by 1915 C 10 s 32), 495 (as amended by 1915 C 10 s 86) 1915 C 10 s 33	C	Boy 14 [See provisions in D, below] Girl of any age	Coal mine in which 5 or more persons are employed in a 24-hour period [See provisions in D, below]	1. Duty District mine inspectors, under direction of chief of department of mines 2(a). Any offense Minimum—$10 or imprisonment for 10 days Maximum—$100 or imprisonment for 90 days	C
	D	Boy 16	Coal mine in which 5 or more persons are employed in a 24-hour period, at any time when a free school is in session in district where boy resides Work at any time in such mine in a position which, in the opinion of the district mine inspector, is hazardous	1. Same as in C, above 2(a). Any offense Minimum—$25 or imprisonment Maximum—$100 or imprisonment for 30 days	D
H C 1913 C 144 s 5176 [For law fixing minimum age of 18 for employment in begging on streets, etc., or for any mendicant business, see H C 1913 C 144 s 5177]	E	Any minor	Any illegal or immoral, etc., vocation Any vocation injurious to the health or dangerous to the life or limb of minor Any immoral purpose, or in any place where illegal or immoral, etc., exhibition takes place	1. [No specific provision] 2(a). Each offense Minimum—$5 Maximum—$100	E
H C 1913 C 15H s 518, 523, 524	F	Any minor Girl of any age	Cleaning machinery while in motion (in manufacturing, mechanical, or other establishment)	1. Duty State commissioner of labor or his assistant 2(a). Any offense Minimum—$20 Maximum—$100	F

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WISCONSIN

[For street trades, see Table 6]

[For public exhibitions, see Table 7]

Statutes C 27 s 439ca
St C 83 s 1728a.2, 1728a.3, 1728a.4, 1728a-4.1, 1728a-4.2, 1728d.1, 1728g
St C 110a s 2394-52, 2394-70

[For law prohibiting employment of child under 14 in dangerous, injurious, or immoral occupations, see St C 186 s 4587a]

[The regulations tabulated in C to G, inclusive, are subject to change by industrial commission; for further powers of said commission, see provisions in H]

[In such of the occupations listed in A-III as are not covered by those listed in A-II, for employment in which a vacation permit may be obtained, the minimum age would also be 14]

A 12 [Employment 12 to 14 allowed only during vacation in the following occupations: store, office, mercantile establishment, warehouse, telegraph, telephone, or public messenger service, in place where child lives, on vacation permit—See Tables 2 and 3, B]	Mercantile establishment Store Hotel Restaurant Bakery Telegraph service Telephone service Public messenger service Delivery of merchandise Any gainful occupation or employment *Exemptions:* Agricultural pursuits	1. Duty State industrial commission Truant officers: Must inspect establishments and report cases of illegal employment of minors to school authorities and to State industrial commission; May make complaint 1. Power only Police officers and citizens: May make complaint 2(a)(b). Each offense Minimum—Forfeiture of $10 to State Maximum—Forfeiture of $100 to State [A civil suit may be brought for violation] (The above penalty is found in St C 83 s 1728a.2; the following penalty is given in s 1728h.1, as amended by 1915 C 421) 2(a). Each offense Minimum—$10 or imprisonment Maximum—$200 or imprisonment for 30 days	A
B 14	Manufacturing establishment Factory Workshop Laundry [See last note in column I]	1. Same as in A, above 2. Same as in A, above	B
C 16	Certain dangerous, etc., occupations, including: Work at certain machines, etc. Work in certain processes, etc., including the manufacture or preparation of any composition in which dangerous or poisonous acids or gases are used Manufacture of paints, etc. Pin boy in bowling alley Oiling or assisting in oiling, wiping, or cleaning machinery in motion [See provisions in D, below] Tobacco warehouse, cigar, or other factory where tobacco is manufactured or prepared Store, brewery, distillery, bottling establishment, hotel barroom, saloon, saloon dining room or restaurant or any place in connection therewith, dance hall, bowling alley, pool room, beer garden, or similar place in which strong, spirituous, or malt liquors are made, bottled, sold, or given away Theater Concert hall Any other employment dangerous to life or limb, injurious to the health, or depraving to the morals	1. Same as in A, above 2. Same as in A, above	C

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TABLE 1.—MINIMUM AGE—Continued

[In reading this analysis, the explanatory notes on pp. 467–470 should be borne in mind]

State References I	Minimum age II	Occupations or establishments *Exemptions* III	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment under minimum age; (b) Continuing employment contrary to inspector's orders IV	
WISCONSIN—Continued	D 18	Certain dangerous, etc., occupations, including: Work in certain processes, etc. Blast furnace Pilot, fireman, engineer, on boats or vessels engaged in transportation of passengers or merchandise Brakeman, fireman, engineer, motorman, or conductor, on any railroad Telegraph operator on railroads [See also St C 87 s 1809j.1, 1809j.2] Running or management of any elevator or lift Oiling or cleaning dangerous or hazardous machinery in motion	1. Same as in A, above 2. Same as in A, above	D
	E Girl 18	Messenger for telegraph or telephone company or company or individual engaged in similar business	1. Same as in A, above 2. Same as in A, above	E
	F Boy 18 Girl of any age	Mine Quarry	1. Same as in A, above 2. Same as in A, above	F
	G "Female child"	Employment requiring constant standing	1. Same as in A, above 2. Same as in A, above	G
	H [Power extends over "any minor or any female"]	Any employment or in any place of employment dangerous or prejudicial to the life, health, safety, or welfare of any minor or female, or where the employment of any minor may be dangerous or prejudicial to the life, health, safety, or welfare of any other employee or frequenter [Such employments are to be determined by the industrial commission]	1. Same as in A, above 2. Same as in A, above	H
WYOMING [For public exhibitions, see Table 7] Constitution art 9 s 3 Compiled Statutes 1910 s 3107 C S 1910 s 3518, 3538 [The provision tabulated in A, in so far as it applies to child under 14, appears to be in large part superseded by the later law given in B, below]	A Boy 14 Girl of any age	Coal, iron, or other dangerous mine Underground works Dangerous place *Exemptions:* Provision does not apply to: Employment of "boy or female of suitable age" in an office or in clerical work	1. Power only State inspectors of coal mines: Must inspect coal mines; May enforce coal-mining laws [C S 1910 s 3483–3492 provide for an inspector of metalliferous mines, but his duties apparently relate only to safety] 2(a). Any offense Minimum—$25 [or $25 and imprisonment] Maximum—$100 or $100 and imprisonment for 6 months	A

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1915 C 77 s 3, 6	B 14	Certain dangerous, etc., occupations, incuding: Work at certain machines, etc. Work in certain processes, including preparing any composition in which dangerous or poisonous acids are used Manufacture of paints, etc. "Underground works, or mine, in or about the surface workings thereof" Smelter Operating freight or passenger elevator	1. [No specific provision. See enforcement in A, above, which might be partially applicable here] 2(a). Any offense Minimum—$25 or imprisonment for 30 days, or both Maximum—$100 or imprisonment for 90 days, or both	B
C S 1910 s 3101, 3105, 3106	C 14	Begging Peddling Variety theater	1. Power only Justices of the peace 2(a). First offense Maximum—$100 or imprisonment for 3 months, or both 2(a). Subsequent offense Maximum—$200 or imprisonment for 6 months	C
1915 C 77 s 1, 2, 3, 5, 6 [For earlier law fixing minimum age of 14 for employment in immoral or dangerous, etc., occupations, with different penalty, see C S 1910 s 3101, 3105, 3106]	D 14	Delivery of messages, etc., by child employed in public messenger service, to any place specified in F-III, below, or to any immoral, etc., place	1. [No specific provision] 2. Same as in B, above	D
	E 16	Any illegal or immoral, etc., purpose or practice Any business or vocation or in any place or situation injurious to the morals or health or dangerous to the life or limb of child under 16 [See provisions in F, below]	1. [No specific provision] 2. Same as in B, above	E
	F 18	Brewery, distillery, saloon, concert hall, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled, or sold	1. [No specific provision] 2. Same as in B, above	F
	G Girl 18	Employment requiring constant standing	1. [No specific provision] 2. Same as in B, above	G
C S 1910 s 3102	H 18	Employment in immoral, etc., place or place where illegal or immoral, etc., exhibition takes place	1. [Justices of the peace have jurisdiction] 2(a). Any offense Minimum—$100 or $100 and imprisonment Maximum—$500 or $500 and imprisonment for 12 months	H

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TABLE 2.—REQUIREMENTS FOR

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
ALABAMA [For street trades, see table 6] 1915 p 193 s 7, 8, 10, 14, 17 [In cities or towns of less than 25,000 population boy 12 to 14 may be employed in business office or mercantile establishment without an employment certificate "during such times as the public schools are not in session"] [For prohibition of employment of child 8 to 15 in any occupation during school hours without written permit from board of education unless child is exempt from school attendance (for exemptions, see Table 5, A), with penalty of a fine of not less than 5 nor more than 50 dollars, to which may be added imprisonment for not more than 30 days, see 1915 No 470 s 9]	A Under 16 [For minimum age, see Table 1, B] "Employment certificate"	Any gainful occupation *Exemptions:* Agriculture Domestic service [See first note in column I]	(1) Birth certificate (2) Passport (3) Baptismal certificate If issuing officer is satisfied that no one of above is obtainable, (4) Other evidence satisfactory to issuing officer, such as affidavit of parent or guardian	
	B Under 16 No documentspecified	Manufacturing establishment Mill Factory		
ALASKA [No provisions]				

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ENTERING EMPLOYMENT [SEE TABLE 3]

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational	Poverty	1. Promise of employment 2. Other	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders	
VI	VII	VIII	IX	
School record signed by the principal or teacher of school attended stating that: (1) Child has attended school at least 60 days of the year immediately preceding date of issuance			1. Duty State factory inspector 2(a). First offense Minimum—$10 Maximum—$100 2(a). Subsequent offense Minimum—$100 Maximum—$500	A
[School attendance required if employed—See Table 5, B]			1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
ARIZONA [For street trades, see Table 6] Revised Statutes 1913 Civil Code title 14 C 2 s 3110, 3116, 3119–3126, 3134–3136, 3145 [The provision for license tabulated in B is contained in a proviso to section 3110, which fixes a minimum age of 14 in employments listed in A, but it is not clear whether or not it refers to employment or merely to child working on his own account]	A 14 to 16 "Employment certificate"	Mercantile establishment Mill Factory Workshop "Tenement house, manufactory or workshop" Store Business office Telegraph office Telephone office Restaurant Bakery Barber shop Apartment house Bootblack stand or parlor Distribution or transportation of merchandise Distribution or transportation of messages	(1) Passport (2) Birth certificate (3) Baptismal certificate (4) Other religious record If no one of above is obtainable, (5) Affidavit of parent or guardian	Written statement by issuing officer that in his opinion child has attained normal physical development, and is in sufficiently sound health and physically able to perform intended work, which shall be stated. In all cases such development, health and fitness shall be determined by a medical officer of the board or department of health or by a physician appointed by the school committee
	B Boy 10 to 14 "License" to work outside school hours	The following, outside school hours: Occupations or establishments same as in A, above, provided work is not physically or morally harmful in opinion of local board of school trustees [See note in column I]		[See column III]

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467-475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by the principal or chief executive of school attended, certifies: (1) 160 days' school attendance during year previous to becoming 14 or to applying for school record; (2) Above-mentioned ability to read and write simple English sentences; (3) That child has received instruction equivalent to 5 yearly grades in reading, spelling, writing, English grammar, and geography, and is familiar with arithmetic through fractions		1. [Issuing officer must transmit to State superintendent of public instruction lists of certificates issued showing name of prospective employer] 2. Work which child intends to do shall be stated on certificate	1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school-attendance officers: Shall make complaints for offenses and prosecute violations; May inspect establishments State superintendent of public instruction, other authorized inspectors, or school-attendance officers: Shall demand proof of age of child apparently under 16 without employment certificate, and order child discharged if not over 16 1. Power only Any person: May prosecute 2(a). Any offense Minimum—$10 Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
		1. [No specific provision] 2. For safeguard to morals, see column III	1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school-attendance officers: Shall make complaints for offenses and prosecute violations; May inspect establishments 1. Power only Any person: May prosecute 2(a). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a rate offense) Minimum—$5 Maximum—$20	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
ARIZONA—Continued. R S 1913 Civ C t 11 C 14 s 2802, 2804 [It would appear, though it is not specifically stated, that a "permit" would not be required for employment in occupations listed in A, above, provided "employment certificate" there tabulated had been obtained]	C 14 to 16 Graduate "permit" [See note in column I]	Any occupation during school hours [See note in column I]		
	D 14 to 16 Nongraduate "permit" [See note in column I]	Same as in C, above, including bracketed note		
ARKANSAS 1914 A 1 s 2, 7, 8, 11, 13 [For earlier law requiring certificate for employment in factories and manufacturing establishments, perhaps partially or entirely superseded by these later provisions, see 1907 A 456 s 1, 5, 6, 7, 8, and 1913 A 322 s 12]	A Under 16 "Employment certificate"	Any establishment or occupation	"Documentary evidence that the child is of the age * * * represented" is required Certificate shall show date of birth of child and contain a statement of the proof of age accepted	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Completion of grammar-school course prescribed by State board of education			1. Duty Deputy sheriff Constable City marshal Attendance officer 1. Power only [For authorities who may inspect certificates, see Table 3, C] 2(a). Any offense Minimum—$25 Maximum—$100	C
[See column VIII]		1. [No specific provision] 2. Exemption from school attendance for "reasons satisfactory" to certain school authorities (see Table 5, A) or on account of physical or mental condition such as to render attendance inexpedient or inadvisable (as declared by competent physician approved by school board)	1. Same as in C, above 2. Same as in C, above	D
No child shall "be employed who has not passed 4 yearly grades" "Documentary evidence that the child is of the * * * educational standard represented" is required			1. Duty State commissioner of labor and statistics Factory inspectors Mine inspectors Agents of humane society Probation officers Truant officers "Other authorized inspectors" 1. Power only Any person: May make and prosecute complaints 2 (a). Any offense Minimum—$5 Maximum—$100	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
CALIFORNIA [For public exhibitions, see Table 7] [The permits tabulated in A and B are alternative, and the permit given in C may be substituted for either during vacation] Deering's General Laws 1909 A 1611 (as amended by 1915 C 625) s 1-3, 9, 10, 13, 15 D G L 1909 A 1611 s 16-17 (as added by 1915 C 625) [Child over 14 may obtain a permit to work outside school hours upon compliance with requirements for the issuance of an age and schooling certificate—See provisions in D and E]	A 14 to 15 Temporary poverty "permit to work"	Manufacturing establishment Mechanical establishment Mercantile establishment Workshop Office Laundry Place of amusement Restaurant Hotel Apartment house Distribution of merchandise Distribution of messages Any other place of labor	Sworn statement of parent or guardian	
	B 14 to 15 Graduate "permit to work"	Same as in A, above		Physical fitness for labor contemplated
	C 12 to 15 Vacation "permit to work"	Occupations or establishments same as in A, above, on weekly school holidays or during regular vacation of public schools	Permit shall contain age of child	
	D Over 15 (if graduate) [See note in column I] "Age and schooling certificate"	Occupations or establishments same as in A, above, during school hours	(1) Birth certificate (2) Passport (3) Baptismal certificate If issuing officer is satisfied that no one of above can be produced, (4) Other evidence, such as school enrollment record on affidavit of parent or guardian, such as shall convince said officer that child is over 15	Certificate, signed by physician appointed by school board, or other public medical officer, stating that he has examined child, and that in his opinion he has attained normal development, is sufficiently sound in health, and physically able to perform intended work
	E 15 to 16 (if nongraduate) [See note in column I] "Age and schooling certificate"	Same as in D, above	Same as in D, above	Same as in D, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
	Sworn statement of parent or guardian that he is incapacitated for labor through illiness or injury, or that through death or desertion of father family is in need of child's earnings. Issuing officer must investigate	1. Written evidence that suitable work is waiting for child 2. Permit shall specify kind of labor	1. Duty State bureau of labor statistics 1. Power only Attendance officers Probation officers 2 (a). Each offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (The above penalty is found in D G L 1909 A 1611, as amended by 1915 C 625, s 13; the following penalty is given in section 16 of the same law) 2 (a). Any offense Maximum—$50 or imprisonment for 60 days, or both	A
Completion of "prescribed grammar-school course"		1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
			1. Same as in A, above 2. Same as in A, above	C
School record, signed by principal or teacher, shows: (1) Grade attained; (2) Attendance for current term Issuing officer certifies that child has completed prescribed grammar-school course		1. Written statement of prospective employer 2. Employer's promise gives nature of occupation for which child is to be employed	1. Same as in A, above 2. Same as in A, above	D
School record same as in D, above Issuing officer certifies: (1) Child has completed 7th grade; (2) He is a regular attendant at evening school Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, D]		1. Same as in D, above 2. Same as in D, above	1. Same as in A, above 2. Same as in A, above	E

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
COLORADO [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative, and the permit tabulated in E may apparently be substituted for those in A to D, inclusive, during vacation] Mills' Annotated Statutes revised edition 1912 s 537, 660, 662–667, 670, 672, 673 1915 C 180 s 11 [For possible substitution of "permit" for "age and school certificate," see M A S re 1912 s 671] [For earlier law applying to children 14 to 16 unable to read and write English, requiring a certain amount of school attendance, apparently partially nullified by later provisions, see M A S re 1912 s 641]	A 14 to 16 (if literate) "Age and school certificate"	Manufacturing establishment Mercantile institution Factory Workshop Store Office Hotel Laundry Bowling alley Theater Concert hall Place of amusement Passenger or freight elevator [But operation of same is prohibited under 16—See Table 1, B] Messenger for any of the above Driver for any of the above	Satisfactory evidence by: (1) Last school census (2) Birth certificate (3) Baptismal certificate (4) Register of birth with town or city clerk (5) Records of public or parochial school If no one of above is obtainable, (6) Age certificate, which may be issued by juvenile or county court upon oath of parent or guardian before said court or officer thereof	
	B 14 to 16 (if illiterate) "Age and school certificate"	Same as in A, above	Same as in A, above	
	C 14 to 16 (if illiterate) No document specified	Any occupation in town or city where a public evening school is maintained		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
School-attendance certificate, signed by teacher of school attended, certifies to ability to read and write simple sentences			1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in employments listed in A–III, omitting "hotel" State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor" 2(a). First offense Minimum—$5 Maximum—$100 2(a). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	A
School-attendance certificate, signed by teacher of school attended, certifies that: (1) Child can not read and write simple sentences; (2) He is a regular attendant at evening school Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, D] (In city or town where there is no public or parochial evening school, this certificate can not be issued)			1. Same as in A, above 2. Same as in A, above	B
Inability to read and write simple sentences Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, E]			1. Same as in A, above 2. Same as in A, above	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
COLORADO—Continued M A S r e 1912 s 537, 657, 667, 670–673 1915 C 180 s 11	D Under 14 "Permit"	Employment by person other than parent of child in: Fruit orchard Garden Field or farm [Compulsory school attendance requirements would appear practically to limit employment to vacation and other times outside school hours—See Table 5, A]	Statement of age by parent or employer must be written on application for permit	Issuing officer may make such reasonable "terms and conditions as shall seem necessary and proper for safeguarding the moral and physical health of child" [See also column VIII]
	E 12 to 16 Vacation "permit"	Occupations or establishments same as in A, above, during that part of June, July, and August when public schools are not in session		Same as in D, above
CONNECTICUT General Statutes revision 1902 s 4707 1911 C 119 s 1–3, 5, 6	A 14 to 16 Employment "certificate"	Manufacturing establishment Mechanical establishment Mercantile establishment	Employment certificate "shows" that child is over 14 Issuing officer may require "all statements of fact offered in support of such application [for certificate] to be made under oath"	Employment certificate states that child does not appear physically unfit for employment Issuing officer may require examination by reputable physician in determining fitness
1913 C 211 s 1	B 14 to 16 "Vacation certificate"	[Manufacturing establishment Mechanical establishment Mercantile establishment]		Child must be "in good physical condition"

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Issuing officer may make such reasonable terms and conditions as shall seem necessary and proper for giving child "such educational advantages as may seem to be for its best interests" [See also column VIII]		1. Name of employer must be stated in application 2. Nature of employment must be stated in application. Written promise to comply with conditions of permit (see columns V and VI) under bond of not more than $2,000 may be required of employer [For safeguard to morals, see column V]	1. Duty Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 1. Power only Humane society, probation officers, and factory inspectors: May inspect permits [Permit is subject to revocation by county juvenile court upon complaint of any person showing violation of conditions, etc.] 2(a). First offense Minimum—$5 Maximum—$100 2(a). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	D
Same as in D, above		1. Same as in D, above 2. Same as in D, above	1. Duty Same as in A, above 1. Power only Same as in D above 2. Same as in D, above	E
Employment certificate states that child is able to read, to write simple sentences, and is familiar with arithmetic through fractions Issuing officer may require "all statements of fact offered in support of such application [for certificate] to be made under oath"		1. [Apparently necessary, since certificate must be delivered to employer by issuing officer and employer must notify State board of education of commencement of employment]	1. Duty State board of education or its agents School visitors Local boards of education Town school committees 2(a). Any offense Maximum—$100	A
				B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
CONNECTICUT—Continued G S r 1902 s 2147, 4707 [The provisions tabulated in C, so far as they relate to occupations for which "employment certificates" are required, are apparently superseded by those tabulated in A, above]	C 14 to 16 (if illiterate) "Certificate" of evening school attendance	Any occupation [excluding those listed in A–III, above; see note in column I] in town where public evening schools are established		
DELAWARE [For street trades, see Table 6] [For public exhibitions, see Table 7] [The law specifies (s 3151) that certificates shall be of 2 classes, general and vacation, the latter allowing child to work during entire year, excepting such days as he is required by law to attend school. But no further mention is made of the vacation certificate] Revised Code 1915 C 90 s 3144–3146, 3149, 3151–3153, 3155, 3158, 3159, 3177, 3179–3181 [The permit tabulated in C, which is granted in discretion of issuing officer, may be issued to any child "under the age as specified" in R C 1915 C 90 s 3144–3192. The occupations and establishments for employment in which a minimum age is fixed by those sections are given in Table 1, A to G, inclusive, and those for employment in which a certificate is required under a certain age are given in A and B in this table]	A Under 16 [12 to 16] "Employment certificate"	Canning or packing establishment [See Table 1, B, for employment during school hours] *Exemptions:* Establishment engaged in canning or packing perishable fruits or vegetables	Same as in B, below	Same as in B, below
	B Under 16 [14 to 16] "Employment certificate"	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement-house, manufactory, or workshop" Office Office building Restaurant Boarding house Bakery Barber shop Hotel Bootblack-stand establishment Public stable Garage Laundry Driver Brickyard Lumberyard Construction or repair of buildings Transmission of messages Any business or service during hours "when the public schools * * * are in session under the provisions of any compulsory school law of the State"	(1) Birth certificate If above is not obtainable, and parent or guardian so certifies by affidavit, (2) Passport (3) Baptismal certificate If no one of above is obtainable, and parent or guardian so certifies by affidavit, (4) Other documentary evidence (including school census) satisfactory to issuing officer except school record or affidavit of parent or guardian If no documentary proof is obtainable, and parent or guardian so certifies by affidavit, (5) Statement of age by parent or guardian subject to investigation by issuing officer and, if he so directs, to approval of State child labor inspector after physical examination before him	Certificate signed by physician appointed by district school board or committee, stating that he has made examination and found that child has attained normal development and is in sufficiently sound health and physically able to be employed in any occupation or process in which a child 12 to 16 may be legally employed

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Inability to read and write Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, D]			1. Duty State board of education through its agents 2(a). Any offense Maximum—$50	C
Same as in B, below			1. Same as in B, below 2. Same as in B, below	A
Ability to read and write simple English sentences. Examination by issuing officer School record signed by principal or chief executive officer of school attended certifies: (1) Above-mentioned ability to read and write simple English sentences; (2) 130 days' school attendance during 12 months previous to arriving at age of 12, or to applying for school record			1. Duty State child labor inspector or his deputy 1. Power only Any person: May make and prosecute complaint 2(a). First offense Minimum—$5 Maximum—$50 2(a). Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2(a). Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading the analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
DELAWARE—Continued	C [Age not specified—See note in column I] "Permit"	[Occupations not specified—See note in column I]		
DISTRICT OF COLUMBIA [For street trades, see Table 6] [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative] Code 1911 p 441 s 1, 2, 4; p 442 s 5, 6; p 443 s 7, 10 36 United States Statutes at Large p 990	A Under 16 [14 to 16] "Age and schooling certificate"	Mercantile establishment Factory Workshop Store Business office Telegraph office Telephone office Restaurant Hotel Apartment house Club Theater Bowling alley Laundry Bootblack stand	Satisfactory evidence by one of the following: (1) Birth certificate (2) Baptismal certificate (3) Other religious record (4) Register of birth (5) Affidavit of parent or guardian (required only in case "last-mentioned transcript of the certificate of birth" is not procured)	Issuing officer certifies that child has attained normal development and is in sound health and physically able to perform intended work
[The certificate tabulated in B may be issued only in "exceptional cases" and if judge of juvenile court, upon recommendation of superintendent of schools, waives necessity of "schooling certificate," which consists of requirements tabulated in A-VI and possibly those in A-V]	B Under 16 [14 to 16] [Poverty] "age certificate"	Same as in A, above	Same as in A, above	[Schooling certificate may be waived—see note in column I—and "age certificate" entitles holder to be employed. Not clear whether requirements in A-V are included in "age" or in "schooling" certificate]
C 1911 p 441 s 1; p 442 s 6; p 443 s 7, 10 36 U S Stat L p 990	C 12 to 14 Temporary poverty "permit"	Occupations or establishments same as in A, above, at any occupation or employment not in judgment of judge of juvenile court of the District of Columbia, dangerous or injurious to the health or morals of child		[For safeguard to health, see column III]

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
	Child's labor must be necessary for support of itself or its family because of death or illness of parent or other unavoidable cause		1. Same as in B, above 2. Same as in B, above	C
Issuing officer certifies: (1) Ability to read and write simple English sentences; (2) 130 days' school attendance during the school year or year previous to applying for school record; (3) That child has received during above period instruction in reading, spelling, writing, and arithmetic			1. Duty Child labor inspectors [2 detailed privates of police force] Truant officers: Shall inspect establishments; Shall report violations to the superintendent of schools and the corporation counsel of the District of Columbia 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Maximum—$20	A
[See note in column I]	[See column VIII]	1. [No specific provision] 2. Cases for which certificate is issued must be "exceptional"	1. Same as in A, above 2. Same as in A, above	B
[The child labor law, under which temporary poverty "permit" is issued allowing child to go to work at 12, in the discretion of the judge of the juvenile court, was passed subsequent to the compulsory school-attendance law of 1906, requiring attendance at school until 14—See Table 5]	Evidence satisfactory to judge of juvenile court that labor of child is necessary for the support of himself or of those dependent upon him[1]	1. [No specific provision] 2. [For safeguard to morals, see column III]	1. Same as in A, above [Permit is subject to revocation at the discretion of issuing judge (of juvenile court) or his successor in office] 2. Same as in A, above	C

[1] That is, for the assistance of a disabled, ill, or invalid parent, or for the support in whole or in part of a younger brother or sister or a widowed mother

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
FLORIDA Compiled Laws 1914 s 2642d, 2642f, 2642h, 2642l, 2642r, 2642t, 3728a [The provisions tabulated in A shall not be considered to apply to agricultural and domestic employment — 1913 C 6488 s 24] [See Table 5 for law later than that tabulated in A which exempts child under 14 from compulsory school attendance requirements, if, on account of extreme poverty, his services are necessary for the support of himself or his parents]	A Under 16 [For minimum age, see column IV and also Table 1, B] "Employment certificate"	Factory Workshop Laundry Mill Mine [Lower age limit apparently 14, since inspector may require proof that child is over 14; but see A-IV]	(1) Birth certificate If above be not produced, one of the following, together with affidavit of parent or guardian, (2) Passport (3) Baptismal certificate (4) Other religous record (Issuing officer certifies that in his opinion child is "over 13," but State labor inspector may demand proof that he is over 14 and forbid employment if such proof be not produced)	Issuing officer shall examine child and certify that in his opinion child is of normal physical development, is in sound health and physically able to perform intended work. In doubtful cases medical officer of board or department of health or county physician shall determine such physical fitness
GEORGIA [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative 14 to 14½] Code 1914 Civil s 3149(b), 3149(c), 3149(e)-3149(g) C 1914 Penal s 1065	A 14 to 14½ Employment "certificate"	Manufacturing establishment Mill Factory Laundry Place of amusement	Issuing officer certifies that child, who must appear before said officer, is not less than 14 years of age "Certificate * * * shall state * * * satisfactory evidence submitted that the child is of legal age" [See Table 3, A-V, for proof which may be required after certificate is issued]	•
	B 12 to 14½ Temporary poverty "certificate"	Same as in A, above		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief teacher of school last attended certifies: (1) 60 days' school attendance during school year previous to arriving at age of 14 or during year previous to applying for record; (2) That child received during above period instruction in reading, spelling, writing, and geography, and is familiar with arithmetic through fractions; (3) Above-mentioned ability to read and write simple English sentences			1. Duty State labor inspector Grand juries: Shall be charged by county and circuit judges, at beginning of each term of the court, to investigate violations 1. Power only Grand juries and county solicitors of criminal courts of record: "Have inquisitorial powers to investigate violations" Judicial or police officers of city or county: May inspect "factories, workshops, mines and mercantile establishments" and shall report violations Any person: May make complaint 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
Issuing officer certifies to 12 weeks' school attendance in 12 months preceding date of issuance of certificate			1. Duty State commissioner of [commerce and] labor and his authorized assistants 2(a). Any offense Maximum—$1,000, or imprisonment for 6 months, or work in a chain gang for 12 months—any one or more of these punishments	A
Issuing commission may prescribe as condition precedent to issuance of certificate school attendance for such length of time and at such time as it deems wise	Child's labor must be necessary to support a widowed mother or he must be an orphan dependent on his own support. Issuing commission must investigate and, if either condition is found to exist, certificate shall be issued		1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
HAWAII [No provisions]				
IDAHO 1911 C 159 s 167, 168, 170, 173 1913 C 77 s 7 [Children 12 to 14 may work in employments listed in A-III during public-school vacation of 2 weeks or more, but no requirements for such employment are specified]	A 14 to 16 "Age record"	Mercantile establishment Mine Factory Workshop Store Telegraph office Telephone office Laundry Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages	[Employer shall keep a record of names, ages, and place of residence. Parent, guardian, etc., swearing falsely as to age of child for purpose of obtaining an "age record" is guilty of perjury. See also last note in column I]	
	B "Under 16" [14 to 16] No document specified	Any gainful occupation during school hours		
ILLINOIS [For public exhibitions, see Table 7] Hurd's Revised Statutes 1913 C 48 s 20a, 20c, 20e, 20f, 20g, 20h, 20i, 20m [For law covering certain establishments, largely superseded by provisions tabulated in A and B, in which affidavit of age by parent, etc., is required as a condition of employment, see H R S 1913 C 48 s 34, 39-41]	A 14 to 16 (if literate) "Age and school certificate"	Manufacturing establishment Mercantile institution Factory Workshop Store Office Hotel Laundry Bowling alley "Theater, concert hall, or place of amusement" Passenger or freight elevator [But operation of same is prohibited under 16—See Table 1, B] Messenger for any of the above Driver for any of the above	Satisfactory evidence by: (1) Last school census (2) Birth certificate (3) Baptismal certificate (4) Register of birth with town or city clerk (5) Records of public or parochial school If no one of above is obtainable, (6) Age certificate which may be issued by juvenile or county court upon oath of parent or guardian before said court or officer thereof	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
[See provisions in B, below, which would apply to these occupations during public-school hours]			1. Duty State board of education (in cooperation with other departments of the State government) Probation officers or school trustees [or truant officers]: Shall visit "places of employment mentioned" [in 1911 C 159 s 166, 172] and ascertain violations therein, "and they shall bring complaints for offenses under this act to the attention of the prosecuting attorney for prosecution" 1. Power only Any reputable citizen: May bring complaint [See also officials specified below] 2. ["A failure to produce to a truant officer, policeman, probation officer or school authority the age record * * * shall be prima facie evidence of the illegal employment of any person whose age record is not produced," but no penalty is specified]	A
Child must possess the following qualifications: (1) Ability to read and write simple English sentences; (2) He must have received instruction in spelling, English grammar, and geography and be familiar with arithmetic through fractions "Similar attainments in another language" will be accepted in place of the above requirements			1. Same as in A, above 2(a). Any offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	B
School - attendance certificate, signed by teacher of school attended, certifies to ability to read and write simple sentences			1. Duty State factory inspector, and his assistants and deputies under his supervision School board or local school authorities: Must report to State factory inspector complaints made to them of violations in employments listed in A-III, omitting "hotel" 2(a). Each offense Minimum—$5 Maximum—$100	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
ILLINOIS—Continued	B 14 to 16 (if illiterate) "Age and school certificate"	Same as in A, above	Same as in A, above	
	C 14 to 16 (if illiterate) No document specified	Any occupation in city or town where a public evening school is maintained		
H R S 1913 C 48 s 24, 27, 28	D Any minor "Certificate of physical fitness" [May be required after entering employment]	Manufacturing establishment Factory Workshop		Certificate from regular physician of good standing may be required by enforcing officer if child appears physically unable to do work at which engaged
H R S 1913 C 93 s 5e, 5g, 28-30	E Boy over 16 [16 to 21] Evidence of age	Manual labor in or about coal mine	One of the following, together with affidavit of parent or guardian: (1) Birth certificate (2) Baptismal certificate (3) Passport (4) Other official or religious record	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
School - attendance certificate, signed by teacher of school attended, certifies that: (1) Child can not read and write simple sentences; (2) He is regular attendant at evening school Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, C] (In city or town where there is no public or parochial evening school or where same exists but is not in session, this certificate can not be issued)			1. Same as in A, above 2. Same as in A, above	B
Inability to read and write simple sentences Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, D]			1. Same as in A, above 2. Same as in A, above	C
			1. [State factory inspector or his assistant or deputy may require certificate and may prohibit employment if it can not be obtained] 2. [A penalty of from $3 to $100 is incurred for failure to comply with "any provision of this act"]	D
			1. Duty State mine inspectors 2(a). Any offense Maximum—$500 or imprisonment for 6 months, or both	E

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
INDIANA Burns' Annotated Statutes 1914 s 6641k, 6675–6677, 6678 (as amended by 1915 C 77), 6682, 6685d, 8042 [Child physically or mentally unfit to attend school according to certificate from reputable licensed practicing physician is apparently exempted—B A S 1914 s 6675]	A 14 to 16 [See note in column I] "Employment certificate"	Any occupation during school hours (The State board of truancy shall define meaning of the word "occupation")	(1) Birth certificate (2) Baptismal certificate (3) Passport If no one of above is obtainable, (4) First school enumeration in which age appears If no one of above is obtainable, (5) Affidavit of parent or guardian and supporting affidavit of some disinterested person If no one of above is obtainable, (6) Issuing officer may certify that, in his opinion, child is 14 or over and is physically fit for work intended	[See column IV, subdivision (6)]
B A S 1914 s 8022, 8038, 8042, 8044, 8045 [The provisions tabulated in B and C are apparently superseded by those of the later law tabulated in A, above, in so far as they are covered by those provisions]	B 14 to 18 "Affidavit" of age	Manufacturing establishment Mercantile establishment Mine [See also B A S 1914 s 8594] Quarry Laundry Renovating works Bakery Printing office	Affidavit of age by parent or guardian or by child if he has no parent or guardian	
	C 14 to 16 No document specified	Occupations or establishments same as in B, above, at other times than during school vacation		
	D 14 to 18 "Certificate of physical fitness" [May be required after entering employment]	[Occupations not specified, but the provisions would apparently apply to any occupation]		Certificate from some regular physician may be required by industrial board if child appears physically unable to do work at which engaged

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Certificate must show that child has passed fifth grade of common school or its equivalent Requirement after entering employment: [Compulsory vocational-school attendance under certain conditions—See Table 5, C]		1. Written statement from employer that he has employed or is about to employ child 2. Above statement must show place and character of employment	1. Duty State industrial board State board of truancy Attendance officers 2(a). Any offense Minimum—$10 Maximum—$50	A
			1. Duty State industrial board 1. Power only Any person: May make complaint 2(a)(b). First offense Maximum—$50 or $50 and imprisonment for 10 days [It may be that the penalty for "first offense" does not include imprisonment as stated, but the law is not clear] 2(a)(b). Second offense Maximum—$100 or $100 and imprisonment for 10 days 2(a)(b). Third offense Minimum—$250 and imprisonment Maximum—Fine and imprisonment for 30 days	B
Ability to read and write simple English sentences, unless child is blind			1. Same as in B, above 2. Same as in B, above, including bracketed note	C
			1. [State industrial board may require certificate and may prohibit employment if it can not be obtained] 2. [Penalty 2(b) in B, above, would be applicable here]	D

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
IOWA [For street trades, see Table 6] [For public exhibitions, see Table 7] Code 1897 Supplement 1913 s 2477–e, 2477–f C 1897 Supplemental Supplement 1915 s 2477–a, 2477–d	A 14 to 16 "Work permit"	Manufacturing establishment Mine Factory Mill Shop Laundry Slaughterhouse or packing house Store or mercantile establishment where more than 8 persons are employed Operating freight or passenger elevator Livery stable Garage Place of amusement Distribution or transmission of merchandise Distribution or transmission of messages ["A work permit shall be issued for every position obtained by a child between the ages of 14 and 16 years"]	(1) Birth certificate If above is not obtainable, (2) Passport (3) Baptismal certificate If no one of above is obtainable, (4) School census record If no one of above is obtainable, (5) Certificate of age from local medical inspector of schools, or physician appointed by local board of education	Certificate signed by medical inspector of schools or physician appointed by board of education, certifying that child has attained normal development and is in sufficiently sound health and physically able to perform intended work
KANSAS [For public exhibitions, see Table 7] General Statutes 1909 s 5094–5098, 8017, 8020 1913 C 217 s 3	A Under 16 [14 is the minimum age for employment in most of these occupations—See Table 1, A] (1) "Certificate of age" (2) Affidavit of age	Factory Workshop Theater Packing house Operating elevator Mine [See provisions in B, below] Distribution or transmission of messages Distribution or transmission of merchandise Any business or service during school hours *Exemptions:* Factory or workshop owned or operated by parent	The document required consists of either of the following: (1) Certificate of age, based upon school census and such other facts as issuing officer can obtain If above is not obtainable, (2) Affidavit of parent or guardian	
G S 1909 s 4993, 4996, 8017 1913 C 217 s 3	B 12 to 16 School certificate [The minimum age for employment in mine is 14 by a later law]	Coal mine [See provisions in A, above]		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
School record, signed by chief executive of school attended, certifies: (1) Ability to read and write simple English sentences; (2) Completion of 6 grades in reading, writing, spelling, English language, geography, and arithmetic		1. Written promise of prospective employer. Work permit is forwarded by issuing officer to employer 2. Employer's promise must describe work to be performed and agree to return permit to issuing officer within 2 days after termination of employment	1. Duty Commissioner of State bureau of labor statistics 1. Power only Deputies of commissioner of State bureau of labor statistics (including factory inspectors), State mine inspectors, county attorneys, mayors, chiefs of police and their deputies, city and town marshals, sheriffs and their deputies, or any person authorized by judge of court of record: May inspect establishments Any person: May make complaint 2(a). Any offense Maximum—$100 or imprisonment for 30 days	A
			1. Duty State commissioner of labor and industry: Shall "cause to be enforced all laws regulating the employment of children, minors, and women" 2(a). Any offense Minimum—$25 or imprisonment for 30 days Maximum—$100 or imprisonment for 90 days	A
Ability to read and write Teacher's certificate showing that be has attended school for 3 months "during the year"			1. Same as in A, above 2(a). Each offense Maximum—$50	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
KANSAS—Continued G S 1909 s 7736, 7737, 8017 1913 C 217 s 3 [The "permit" tabulated in C is apparently not necessary if child fulfills requirements tabulated in D or E, or if he is exempt from school attendance on account of physical or mental incapacity—See Table 5, A, *Exemptions* (2)]	C 8 to 15 [See last note in column I] "Permit"	Any occupation during sessions of the school term or year		
	D 8 to 15 (if graduate) [See last note in column I] No document specified	Same as in C, above		
[Employment in any business or service during school hours is prohibited under 14 by a later law—See Table 1, B]	E 14 to 15 (if nongraduate) No document specified	Same as in C, above		
KENTUCKY [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes 1915 s 33a.2, 331a.2, 331a.4, 331a.5, 331a.8, 331a.16, 2978c.7	A 14 to 16 "Employment certificate"	Mercantile establishment Factory Mill Workshop Store Office Printing establishment Bakery Laundry Restaurant Hotel Apartment house Theater Motion-picture establishment Distribution or transmission of merchandise Distribution or transmission of messages	(1) Birth certificate (2) Passport (3) Baptismal certificate If no one of above is obtainable, (4) Other evidence (as school census, school enrollment record, or affidavit of parent or guardian) such as shall convince issuing officer that child is 14	Certificate of physician appointed by school board, or of some other public medical officer, certifying that child has attained normal development and is in sufficiently sound health and physically able to perform intended work

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
[No requirements specified. The permit is issued by school authorities and would constitute an exemption from school attendance]	[In case of extreme emergency or domestic necessity, child 8 to 14 may be temporarily absent from school]		1. Duty Same as in A, above, and also, Truant officers 2(a). Each offense Minimum—$5 Maximum—$25	C
Exemption from school attendance on certificate of graduation from common schools of any county or certificate of admission to city high school			1. Same as in C, above 2. Same as in C, above	D
Partial exemption from usual school-attendance requirements (instead of entire session, only 8 weeks are required by compulsory education law) on condition that child is able to read and write English	Child must be employed for his own support or support of those dependent on him		1. Same as in C, above 2. Same as in C, above	E
School record, signed by principal or chief teacher of school last attended, certifies: (1) 100 days' attendance during the 12 months previous either to arriving at the age of 14 years or to applying for school record; (2) Ability to read and write simple English sentences; (3) That child has completed 5 yearly grades in reading, spelling, writing, English language, and geography, and is familiar with arithmetic through fractions If school record is not obtainable, and parent or guardian so certifies by affidavit, issuing officer must examine child and test his proficiency in above studies		1. Written promise of prospective employer 2. Employer's promise states nature of work	1. Duty State labor inspectors, under the direction of the commissioner of agriculture, labor, and statistics: Shall inspect specified establishments [For list, see St 1915 s 33a.2]; Shall report to State and to county attorney any violations occurring Truant officers: May inspect establishments named in A-III; Shall report violations to superintendent of schools, State labor inspector, or other authorized officer 2(a). First offense Minimum—$15 Maximum—$50 2(a). Second offense Minimum—$15 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both 2(a). Subsequent offense Minimum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
LOUISIANA [For public exhibitions, see Table 7] [For excuse from school attendance (in cities of over 25,000 except Parish of Orleans) of child 8 to 14 who is sole dependence of infirm persons or mother or sisters in necessitous circumstances, and implied permission to work, on certificate from local superintendent of schools, see later law, 1914 A 91] Wolff's Revised Laws Supplement 1904–1908 v 3 p 412; 1908 A 155 s 2–3 (as amended by 1914 A 186) W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 2, 3, 6, 8, 23 (as amended by 1912 A 61) 1910 A 254 s 2	A Over 14 [14 to 16] "Age certificate"	Manufacturing establishment Mercantile establishment Mill Factory Mine Packing house Workshop Store Laundry Millinery establishment Dressmaking establishment [In the text of the law, after the enumeration of the above establishments, occurs the limiting phrase "where more than 5 persons are employed." It is not clear whether or not this clause refers to all the above establishments or only to mercantile, dressmaking, and millinery establishments] Theater Concert hall Place of amusement where intoxicating liquors are made or sold Bowling alley Boot-blacking establishment Place where messages are transmitted Place where messages are distributed Any other occupation which may be deemed unhealthful or dangerous	Satisfactory evidence by: (1) Birth certificate (2) Baptismal certificate (3) Register of birth with city or town officer (4) Records of public or parochial school (5) Passport from commissioner of immigration If no one of above is obtainable, (6) Age certificate which may be issued by State or other factory inspector or by juvenile or district court, upon oath made by parent or guardian before said person or court	
	B "Any child" [14 to 16] "Certificate" of physical fitness [May be required after entering employment]	Occupations or establishments same as in A, above, with following addition: Distribution or transmission of merchandise Distribution or transmission of messages		Child who appears to [factory] inspector to be under 14 must procure certificate from city or parish physician as to physical fitness to perform work required

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational	Poverty	1. Promise of employment 2. Other	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders	
VI	VII	VIII	IX	
			1. Duty State commissioner of labor and assistant commissioners Parish, city, or town factory inspectors (including New Orleans factory inspector) Supervisor of minerals: Shall enforce provisions of law pertaining to mining 2(a). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 6 months, or both	A
			1. [See column V] 2. [Child is "required to procure" certificate under conditions specified in column V. Penalty in A-IX, above, applies to "any violations of this act"]	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
MAINE 1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4) 1911 C 65 s 2, 11 1915 C 327 s 2, 4, 5	A 14 to 16 "Work permit"	Manufacturing establishment Mechanical establishment Any business or service whatever during school hours	(1) Birth certificate (2) Baptismal certificate (3) Passport showing the birth	Issuing officer may require in doubtful cases a certificate from school physician or from medical officer of board of health stating that child has been examined by him, and in his opinion has attained normal development and is in sufficiently sound health and physically able to perform intended work Requirement after entering employment: [State factory inspector or his deputy or agent may require similar certificate in doubtful cases]
	B 14 to 16 "Vacation permit"	[The occupations or establishments for which this permit is required are not definitely stated in the law, but it would appear to be necessary for employment only in those establishments for employment in which a "work permit" is required]	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Child must demonstrate ability to read and write simple English sentences and to perform the fundamental operations of arithmetic through division, according to test furnished by local superintendent of schools or school committee, or must furnish a certificate signed by public-school teacher or principal of an approved private school certifying to such ability			1. Duty State commissioner of labor [and industry] "Agents for the protection of children," sheriffs, deputy sheriffs, police officers, and constables: Shall enforce any act concerning the protection of children 1. Power only Truant officers, factory inspectors, or other officers charged with enforcement of this act: May demand proof of age of child apparently under 16 and forbid his employment if such evidence be not produced [See Table 5 for other powers of truant officers to inspect certificates] 2(a). Any offense Minimum—$25 Maximum—$200	A
			1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
MARYLAND [For street trades, see Table 6] [For public exhibitions, see Table 7] Annotated Code 1911 v 3 (1914) art 27 s 344; art 77 s 166; art 100 s 4, 5, 9–17, 19, 20, 34, 35, 38, 40, 48 [The certificate tabulated in A permits employment during entire year; those in B and C only during such time as child is not required to attend school—See Table 5]	A 14 to 16 "General employment certificate" [See note in column I]	Mercantile establishment Mechanical establishment Mill Factory Workshop Tenement-house manufactory or workshop Office building Restaurant Bakery Barber shop Hotel Apartment house Bootblack stand or establishment [other than employment in street trade, for which see Table 6, B] Public stable Garage Laundry Driver Brickyard Lumberyard Construction or repair of buildings Messenger for telegraph, telephone, or messenger company Canning establishment Packing establishment Store Office Boarding house Place of amusement Club Distribution, transmission, or sale of merchandise	(1) Birth certificate If above is not obtainable, and parent or guardian so certifies by affidavit, (2) Passport (3) Baptismal certificate If no one of above is obtainable, and parent or guardian so certifies by affidavit, (4) Other documentary evidence (except school record or affidavit of parent, etc.) satisfactory to issuing officer; school census or enumeration record duly attested may be used If no documentary evidence as above is obtainable, and parent or guardian so certifies by affidavit, (5) Certificate of physician appointed by issuing officer, stating that in his opinion child is 14	Certificate signed by a physician appointed by issuing officer, stating that he has examined child and that in his opinion it has reached normal development and is in sufficiently sound health and physically able to perform intended work
	B 12 to 14 "Vacation employment certificate" [See note in column I]	Mercantile establishment Canning establishment Packing establishment Store Office Boarding house Place of amusement Club Distribution, transmission, or sale of merchandise	(1) to (4) Same as in A, above If no documentary evidence as above is obtainable, (5) Certificate of physician designated by issuing officer, stating that in his opinion child is 12 years of age or upward, together with affidavit of parent or guardian that child is over 12	Certificate from physician designated by issuing officer, stating that he has examined child and that in his opinion it is physically able to undertake intended work
	C 14 to 16 "Vacation employment certificate" [See note in column I]	Same as in A, above	Same as in B, above	Same as in B, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record signed by principal or chief executive officer of school last attended, certifies: (1) Regular attendance for minimum period prescribed by law (see Table 5) during any period of the 12 months after child reaches age of 13; (2) Above-mentioned ability to read and write simple English sentences; (3) Completion of fifth grade in reading, spelling, writing, English language, geography, and arithmetic through fractions		1. Certificate shall contain name and address of prospective employer and the nature of the occupation in which child is to be engaged; and no certificate shall be valid except in the hands of the employer named and for the occupation described therein	1. Duty Chief of State bureau of statistics and information Inspectors of factories, attendance officers, and other authorized officers Any person: May make and prosecute complaints 2(a). Any offense Maximum—$100 2(b). Any offense (Each day's violation a separate offense) Maximum—$20	A
[See note in column I]		1. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
[See note in column I]		1. Same as in A, above	1. Same as in A, above 2. Same as in A, above	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References	Age Kind of permit	Occupations or establishments *Exemptions*	Requirements Evidence of age	Requirements Physical
I	II	III	IV	V
MASSACHUSETTS [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Laws 1902 C 44 s 1 (as amended by 1913 C 779 s 1 and by 1915 C 81 s 1), 2 (as amended by 1913 C 779 s 2 and by 1915 C 81 s 2) R L 1902 C 46 s 13 (as amended by 1913 C 779 s 12) R L 1902 C 108 s 8 (as amended by 1907 C 413) 1906 C 502 s 1 (as amended by 1910 C 257) 1906 C 502 s 2 (as amended by 1910 C 257) 1909 C 514 s 17 (as amended by 1912 C 191), 57 (as amended by 1913 C 779 s 15), 58 (as amended by 1913 C 779 s 16), 59 (as amended by 1913 C 779 s 17 and by 1914 C 580), 60 (as amended by 1913 C 779 s 18), 61 (as amended by 1915 C 70), 62 (as amended by 1913 C 779 s 20), 63 (as amended by 1913 C 779 s 21), 64 (as amended by 1913 C 779 s 22) 1912 C 726 s 5, 11 1913 C 805 s 1	A 14 to 16 "Employment certificate"	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop *Exemptions:* Mercantile establishment on Saturdays, 7 a. m. to 6 p. m.	(1) Birth certificate (2) Baptismal certificate If no one of above is obtainable, (3) Passport (4) Attested immigration record (5) Other official or religious record appearing to issuing officer to be sufficient evidence If no one of above is obtainable, (6) First Massachusetts school record of age if kept for 2 years If no one of above is obtainable, and parent or guardian so certifies, (7) Certificate of age from school physician or physician appointed by school committee	Certificate signed by school or family physician or physician appointed by school committee, certifying that child is in sufficiently sound health and physically able to perform intended work
	B 14 to 16 Home permit [See Table 5]	Profitable employment at home		
R L 1902 C 46 s 13 (as amended by 1913 C 779 s 12) R L 1902 C 108 s 8 (as amended by 1907 C 413) 1909 C 514 s 17 (as amended by 1912 C 191), 62 (as amended by 1913 C 779 s 20), 63 (as amended by 1913 C 779 s 21), 64 (as amended by 1913 C 779 s 22), 66 (as amended by 1913 C 779 s 23) 1912 C 726 s 5, 11	C 16 to 21 (if literate) "Educational certificate"	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop	Same as in A, above, as far as practicable	
	D 16 to 21 (if illiterate) "Educational certificate"	Same as in C, above	Same as in A, above, as far as practicable	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Such ability to read, write and spell in English as is required for completion of fourth grade. Examination by issuing officer School record, signed by principal or teacher in charge of school last attended, shows grade, studies, and amount of school attendance during year preceding; said record shall not be issued or accepted unless following requirements have been complied with: (1) Above-mentioned educational attainments; (2) 130 days' school attendance after child is 13 years of age School record may be accepted without educational attainments if child has attended school at least 7 years, if issuing officer thinks him incapable of acquiring them Issuing officer may suspend attendance requirements if he thinks best interests of child are served by so doing, and may waive requirement of school record if it is impossible to obtain it Requirement after entering employment: [Compulsory continuation-school attendance under certain conditions—See Table 5, E]		1. Written promise of employer or his agent 2. Employer's promise to employ states character and number of hours of prospective employment and agrees to comply with law	1. Duty Inspectors of State board of labor and industries Attendance officers: "Shall inquire into" all cases of children out of school and without permits; shall apprehend and take to school child under 21 illegally employed; shall make complaint; May inspect establishments 2(a). Each offense Minimum—$10 or imprisonment Maximum—$50 or imprisonment for 30 days 2(b). Any offense (Each day's violation a separate offense) Minimum—$50 or imprisonment Maximum—$200 or imprisonment for 60 days	A
Such ability to read, write, and spell in English as is required for completion of fourth grade			1. [See Table 5, B] 2. [See Table 5, B]	B
Certificate states that child has such ability to read, write, and spell in English as is required for completion of fourth grade. Examination by issuing officer			1. Same as in A, above 2(a). Each offense Maximum—$100	C
Certificate states that child has not such ability to read, write, and spell in English as is required for completion of fourth grade. Test by issuing officer Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, D]	✓		1. Same as in A, above 2. Same as in C, above	D

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
MICHIGAN Howell's Annotated Statutes 1913 s 4018 (as amended by 1915 No 255), 4026, 4029, 4062 [For excuse from school attendance, granted under practically the same conditions as those tabulated in column VII, which is apparently a prerequisite for employment under 16 in any occupation during school hours, unless child has completed eighth grade, see Table 5, B–II, subdivision (2)]	A Under 16 [15 to 16] Employment [poverty] "permit"	Manufacturing establishment Mercantile institution Workshop Store Office Hotel Laundry Mine Bowling alley Telegraph service Messenger service "Any person coming within the provisions of this act" [The act referred to is H A S 1913 C 64 (s 4009–4062). It is not clear to what further occupations, if any, this phrase would make the permit requirement apply. It might be construed to apply also to theater and to billiard or pool room conducted for profit] *Exemptions:* Employment during established vacation period in preserving perishable goods in fruit or vegetable canning establishment	(1) Passport (2) Record of birth kept by authorized public authority (3) Baptismal or other religious record If no one of above is obtainable, (4) Statement of physician connected officially with department of health, certifying that in his opinion child is 15 or over, is in sound health, and physically able to perform intended work. Issuing officer may require also parent's affidavit of age or other evidence	Statement by issuing officer that in his opinion child has attained normal development, is in sound health, and physically able to perform intended work; in doubtful cases such fitness shall be determined by medical officer of department of health
	B Under 16 [15 to 16] "Limited vacation permit"	Occupations or establishments same as in A, above *Exemptions:* Same as in A, above	Same as in A, above	Same as in A, above
MINNESOTA [For public exhibitions, see Table 7] General Statutes 1913 s 3818, 3819, 3840, 3842, 3843, 3846, 3847	A 14 to 16 "Employment certificate"	Any business or service [during any part of the term] "during which the public schools are in session" (The words within the brackets are omitted in the law, apparently by mistake. They occur in the original law, passed in 1907, but not in the law as amended in 1912)	(1) Birth certificate If above is not obtainable, (2) Affidavit of parent or guardian taken before issuing officer (Issuing officer shall "examine child" and file statement that in his opinion child is 14 or over)	Certificate from reputable practicing physician designated for this purpose by school board, that child has attained normal development, is in sound health, and physically able to perform intended work

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, certifies: (1) Regular attendance of 100 days during school year previous to arriving at age of 15 or to applying for school record; (2) Above-mentioned ability to read and write simple English sentences: (3) Completion of 6th grade of public schools or its equivalent	Statement by issuing officer that in his opinion services of child are essential for support of itself or its parents		1. Duty State factory inspectors 1. Power only Any citizen: May make complaint [1911 A 163 and 1913 A 177 provide for the appointment of mine inspectors, but their duties apparently relate only to safety] 2(a). Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 90 days, or both	A
	Same as in A, above		1. Same as in A, above 2. Same as in A, above	B
Completion of studies taught in common schools of district, or other school in which the curriculum is equal. In any case ability to read and write simple English sentences is required School record, "properly filled out" and signed by principal or teacher of school last attended, must be examined and approved by issuing officer			1. Duty State department of labor and industries 1. Power only Truant officers: May inspect establishments and shall report violations to school authorities and to State commissioner of labor 2(a). Any offense Minimum—$25 Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A

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TABLE 2—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
MINNESOTA—Continued G S 1913 s 3850, 8482 [The provisions tabulated in B appear to apply to any occupation, but the law is not definite]	B "Any child" "Certificate" of physical fitness [May be required after entering employment]	[Any occupation—See note in column I]		Certificate from reputable practising physician designated by school board, affirming child's physical fitness to perform work at which engaged, shall be required by officials of labor department or truant officers, if said child appears unable to perform such work
MISSISSIPPI 1908 C 99 (as amended by 1912 C 165) s 1, 3, 5–8 1914 C 163 s 3, 4 1914 C 164 s 9 [1912 C 165 s 9, amending 1908 C 99, which exempted fruit canneries from the provisions tabulated in A, and which so defined the application of the act as to make the penalties and "physical requirements" apply to employment in all the establishments listed in column III, was repealed by 1914 C 163 s 8]	A Boy 12 to 16 Girl 14 to 16 "Affidavit" of age and school attendance	Manufacturing establishment Mill Factory Cannery [See note in column I] *Exemptions:* [1914 C 164 repeals these provisions in so far as they relate to "cotton mills and knitting mills," but enacts nearly identical provisions for such establishments in regard to affidavit, etc.—See provisions in B, below]	Affidavit of parent or guardian states date of birth of child	Requirement after entering employment: County health officer must inspect "manufacturing establishments" and report to sheriff child whose physical condition incapacitates him to perform work required, and sheriff shall remove him from establishment. Judgment of health officer shall be conclusive [See note in column I]

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. [See column V] 2. [A maximum penalty of $100 or imprisonment for 3 months is incurred for refusing to produce certificate upon demand or employing child who can not obtain it]	B
Affidavit of parent or guardian states last school attendance, grade of studies pursued, and name of school and teacher in charge			1. Duty State factory inspector County health officer: [For duties, see A–V] County sheriff: [For duties, see A–V] Circuit judge: Shall specially charge grand jury to investigate violations 2(a). Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both (Above penalty applies specifically to employment only in "mill, factory or manufacturing establishment") 2(b). Any offense Minimum—$10 Maximum—$100 (Penalty 2(b) is incurred for refusal to obey lawful order of sheriff or health officer, and applies specifically only to "manufacturing establishments")	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References	Age Kind of permit	Occupations or establishments *Exemptions*	Requirements	
			Evidence of age	Physical
I	II	III	IV	V
MISSISSIPPI—Continued 1914 C 163 s 3, 4 1914 C 164 s 1, 3–9	B Boy 12 to 16 Girl 14 to 16 "Affidavit" of age and school attendance	Cotton mill Knitting mill	Same as in A, above	Same as in A, above, except that provision applies to cotton and knitting mills
MISSOURI Revised Statutes 1909 v 1 s 1718 (as amended by 1911 p 132), 1720–1724 (as amended by 1911 p 132), 1726d (as added by 1911 p 132) R S 1909 v 2 s 7824, 7825 [For law prohibiting employment of boy under 16 in mine if he can not read and write, see R S 1909 v 2 s 8456, 8463, 8465, 8467 (as amended by 1911 p 319)]	A 14 to 16 "Employment certificate"	Any occupation	(1) Passport (2) Birth certificate (3) Baptismal certificate (4) Other religious record If no one of above is obtainable, (5) Affidavit of parent or guardian	Issuing officer certifies, after examination, that in his opinion child has attained normal development and is in sufficiently sound health and physically able to perform intended work. If issuing officer so requests, physical condition shall be determined by medical officer of board or department of health or by a regularly licensed physician
	B 14 to 16 "Certificate of physical fitness" [May be required after entering employment]	Same as in A, above		Factory inspector or his assistant or deputy may demand certificate of physical fitness from regularly licensed physician for child who seems physically unable to perform work at which engaged

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Same as in A, above			1. Duty State factory inspector County health officer: [For duties, see B-V] County sheriff: Has duty of enforcement [See also B-V] Circuit judge: Has duties as specified in A, above 2(a). Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both 2(b). Any offense Minimum—$10 Maximum—$100 (Penalty 2(b) is incurred for refusal to obey lawful order of sheriff or health officer)	B
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, certifies: (1) Ability to read and write simple English sentences; (2) That child "has regularly attended" school		1. [No specific provision] 2. Certificate states kind of work which child says he intends to do	1. Duty State factory inspector: In cities of 10,000 or over "shall enforce all laws relating to the inspection" of factories, warehouses, freight depots, machine shops, laundries, tenement workshops, bakeshops, hotels, restaurants, bowling alleys, theaters, concert halls or places of public amusement, and other manufacturing, mechanical, and mercantile establishments and workshops 2(a). Any offense Maximum—$100 or imprisonment for 1 year, or both (Each day's violation a separate offense)	A
			1. [See column V] 2. [Child who can not obtain certificate demanded shall not be employed. Penalty in A, above, applies to violation of any provision of this act]	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Physical V
MONTANA Revised Codes 1907 s 1660, 1669 1913 C 76 s 1100–1103	A Under 14 [Age of completion of public-school studies to 14] "Age and schooling certificate"	Any occupation during school term	"Satisfactory proof of age"	
	B 14 to 16 "Age and schooling certificate"	Same as in A, above	Same as in A, above	
R C 1907 s 1660, 1669, 1746, 1748–1751 1911 C 120 s 5 1913 C 55 s 3, 5	C Over 16 "Age certificate"	Factory Workshop Mine Mill Smelter Steam, electric, hydraulic, or compressed-air railroad Passenger or freight elevator Where any machinery is operated Telegraph company Telephone company Messenger company Any occupation not above enumerated which is known to be dangerous or unhealthful or which may be in any way detrimental to the morals of child under 16	Official record, compiled by State commissioner of labor and industry, from reports made to him by county superintendent of schools, giving ages of all children under 16 who are residents of State	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
"Satisfactory proof" that child "has successfully completed" the studies of reading, spelling, writing, language, English grammar, geography, history and civics, physiology and hygiene, and arithmetic			1. Duty Truant officers State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 2(a). Each offense Minimum—$25 Maximum—$50	A
Certificate issued upon "a knowledge" of child's ability to read and write English			1. Same as in A, above 2. Same as in A, above	B
			1. Duty State commissioner of labor and industry State bureau of child and animal protection: Has duties and powers as specified in A, above State coal mine inspector: As to coal mines [State mine inspector must inspect mines, but his duties apparently relate only to safety—See R C 1907 s 1713, 1720] 1. Power only Any reputable citizen: May make complaint 2(a). Any offense Minimum—$25 or imprisonment for 30 days, or both Maximum—$500 or imprisonment for 6 months, or both	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEBRASKA [For public exhibitions, see Table 7] [The certificates tabulated in A and B are also called "Age and schooling certificates"] Revised Statutes 1913 s 3576, 3579, 3580, 3582, 3583, 3585, 3586 [For law according to which evening or other school attendance equivalent to the evening-school attendance tabulated in B–VI may be required of child 14 to 16 in city and metropolitan city school districts and 14 to 15 in other places, if he is "legally and regularly employed for his own support or the support of those actually dependent upon him," see R S 1913 s 6924–6926]	A 14 to 16 (if graduate) "Employment certificate"	Manufacturing establishment Mercantile institution Factory Workshop Theater Concert hall Place of amusement Store Office Hotel Laundry Bowling alley Passenger or freight elevator Messenger for any of the above Driver for any of the above	(1) Passport (2) Birth certificate (3) Baptismal certificate (4) Other religious or official record showing date of birth If no one of above is obtainable, (5) Affidavit of parent or guardian (6) In doubtful cases, issuing office may refer question of age to the judge of the juvenile court or to the county judge, whose judgment shall be final	Issuing officer after making examination signs statement that in his opinion child has attained normal development, is in sound health, and physically able to perform intended work. In doubtful cases such fitness shall be determined by a medical officer of the board or department of health, or by a physician provided by the State board of inspection
	B 14 to 16 (if nongraduate) "Employment certificate"	Same as in A, above	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by teacher and principal of the school child has attended, shows: (1) Completion of eighth grade; (2) Attendance for three-fourths of school year previous to becoming 14 years of age, or during the year previous to applying for record; (3) Above-mentioned ability to read and write simple English sentences			1. Duty State deputy commissioner of labor Truant officers 1. Power only Members of State board of inspection: May inspect employment certificates and demand evidence of age of child apparently under 16 whose certificate is not on file, and forbid his employment if evidence that he is over 16 be not produced. For further powers, see C-V Any person: May cause enforcement 2(a). Each offense Maximum—$50 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by teacher and principal of the school child has attended, shows: (1) Noncompletion of eighth grade; (2) Attendance for three-fourths of school year previous to becoming 14 years of age, or during the year previous to applying for record; (3) Above-mentioned ability to read and write simple English sentences Certificate of regular attendance at a public evening school which is maintained for not less than 20 weeks per year, 3 evenings per week, and 2 hours per evening Requirement after entering employment: [Compulsory evening-school attendance—See Table 5, E]			1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEBRASKA—Continued	C Under 16 "Certificate" of physical fitness [May be required after entering employment]	[Any occupation]		Member of State board of inspection may demand examination by regularly licensed physician selected by the board, of child under 16 who seems physically unable to do work at which engaged
NEVADA [For public exhibitions, see Table 7] Revised Laws 1912 s 6824, 6285 1915 C 203 s 4, 8, 9, 13 [The law specifies no requirements for permit tabulated in A] [See Table 1, A, for later law which would appear to limit this provision, in so far as it applies to children under 14, to employment outside school hours and during vacation]	A Boy under 14 Girl under 16 "Written permit" [But for minimum age of 14 for employment in any business or service during school hours, fixed by later law, see Table 1, A]	Factory Store Shop Mine [But 1913 C 232 s 2, which is a later provision, fixes a minimum age of 16 for employment in mine—See Table 1, B] Any inside employment *Exemptions:* Inside employment connected with farm or housework		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. [See column V] 2. [Child who can not obtain certificate shall not be employed. Penalties in A, above, appear to be applicable here]	C
			1. Duty State labor commissioner 2(a). Any offense Maximum—$500 or imprisonment for 6 months, or both	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEW HAMPSHIRE Public Statutes 1901 C 93 s 15 (as amended by 1901 C 61) 1911 C 162 s 1 (as amended by 1913 C 224 s 1). 2, 7, 10 (as amended by 1915 C 61), 12, 13, 16, 17, 19, 20, 21 1911 C 198 s 2 [For requirement of proof of age and certificate of literacy, according to earlier law, superseded in large part by these provisions, see also P S 1901 C 93 s 11 (as amended by 1901 C 61), 13 (as amended by 1901 C 61), 18, and P S 1901 C 92 s 18] [1913 C 221, amending P S 1901 C 93 s 14, by requiring attendance at school until 16 unless child has completed elementary school course, would appear to limit employment of nongraduate child to outside school hours and during vacation]	A Under 16 [14 to 16] "Employment certificate"	Mill Factory Workshop Quarry Mercantile establishment "Tenement house manufactory or workshop" Store Business office Telegraph office Telephone office Restaurant Bakery Hotel Barber shop Apartment house Bootblack stand or parlor Distribution or transmission of merchandise Distribution or transmission of messages	One of the following: (1) Passport (2) Birth certificate (3) Baptismal certificate (4) Public record showing date of birth	Certificate from medical officer of local board of health or a physician designated by school board, certifying that child has attained normal development and is in sufficiently sound health and physically able to perform intended work
	B Under 16 [14 to 16] Vacation "certificate"	Occupations or establishments same as in A, above, during a vacation period of the school year	Same as in A, above	Same as in A, above
1913 C 162 s 3	C Under 16 No document specified [May be required after entering employment]	Any occupation		State board of health, when requested by State superintendent of public instruction, must make inspections and may require the discharge of child who by reason of physical condition can not, in its judgment, continue in employment without risk to health

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, certifies: (1) Regular attendance for 300 half days during year previous to arriving at age of 14 or to applying for school record; (2) Above-mentioned ability to read and write simple English sentences (If child has attended an English-taught school 3 years, and issuing officer considers him mentally incapable of acquiring ability to read and write simple English sentences, State superintendent of public instruction, after investigation, may issue permit authorizing employment) [For later provision which would appear to require graduation from elementary school course for work during school hours, see last note in column I]			1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers State superintendent of public instruction and State inspectors appointed by him and under his supervision 2(a). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20	A
			1. Same as in A, above 2. Same as in A, above	B
			1. [See column V] 2. [Penalties in A, above, seem to be applicable here]	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEW HAMPSHIRE—Continued P S 1901 C 92 s 18 P S 1901 C 93 s 12 (as amended by 1901 C 61), 13 (as amended by 1901 C 61), 15 (as amended by 1901 C 61), 18 1911 C 198 s 2 [The application of the provision tabulated in D would appear to be limited in most cases to minors over 16—See provisions in A, above, and Table 5, A]	D Any minor (if illiterate) [See note in column I] No document specified	The following occupations while a free public evening school is maintained: Manufacturing establishment Mechanical employment Mercantile employment Any other employment		
NEW JERSEY [For street trades, see Table 6] Compiled Statutes 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 252 s 1), s 18 p 3024 (as amended by 1914 C 252 s 2), s 60 p 3034 (as amended by 1912 C 117), s 61 p 3035 1914 C 236 s 3 1911 C 136 s 1–4, 6 (as amended by 1914 C 253 s 1–4, 6), 15 1914 C 223 s 1, 5, 7–9, 12, 17, 18 ["It shall be lawful" to issue this certificate for employment in occupations not otherwise prohibited by law to children under 16. It is required for employment in all occupations listed in this table]	A 14 to 16 "Age and schooling certificate"	Factory Workshop Mill Place where the manufacture of goods of any kind is carried on [See C S 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 60) and (as amended by 1914 C 236 s 2) for provisions which may make these requirements apply also to: Newspaper plant Printery Place where printing is carried on Commercial laundry Mine Quarry]	(1) Birth certificate If above is not obtainable, and parent or guardian so certifies by affidavit, (2) Passport (3) Baptismal certificate If no one of above is obtainable, and parent or guardian so certifies by affidavit, (4) Other documentary evidence satisfactory to issuing officer (except school record or affidavit of parent or guardian) If no one of above is obtainable, and parent or guardian so certifies by affidavit, (5) Physician's certificate of age may be accepted if, after investigation, facts in parent's affidavit are not discredited, said certificate to be issued by medical inspector of district board of education	Certificate signed by medical inspector of board of education, upon examination of child, describing his physical condition and stating whether he has attained normal development and is of sufficiently sound health and physically able to be employed in any occupation in which he may legally be employed
[See also 1914 C 223 s 1, 5, 7, 12, 13, 17, 18, for the "age and working certificate," tabulated in Table 6 because it appears to apply chiefly to street trades, but possibly covering	B 14 to 16 "Age and schooling certificate"	Mercantile establishment (Term shall be "construed to apply to any employment of labor other than a factory, workshop, mill or other place where the manufacture of	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational	Poverty	1. Promise of employment 2. Other	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders	
VI	VII	VIII	IX	
Inability to read and write simple English sentences Requirement after entering employment: [Compulsory day or evening school attendance unless exempted—See Table 5, C]			1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers: As to employment under 16 in manufacturing, mechanical, and mercantile establishments, if required by district school board; in other establishments, as to employment under 16 during school hours District school boards 1. Power only State superintendent of public instruction or his deputy 2(a). Each offense Maximum—$50	D
"Satisfactory proof" that: (1) Child has attended school 130 days during 12 months next preceding date of application for certificate; (2) He is able to read and write simple English sentences; (3) He has completed 5 yearly grades in reading, writing, spelling, English language, and geography, and is familiar with arithmetic through fractions		1. "Employer's certificate," filled out by employer, setting forth the nature of the work child is to do, the date it begins work, and the salary to be paid, must be returned by employer "within 2 days" to issuing officer	1. Duty State commissioner of labor (with supervision and control over assistant and inspectors) 1. Power only [See also Table 3, B, for officers empowered to inspect certificates] 2(a). Any offense Maximum—$25 or imprisonment for 60 days, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	A
Same as in A, above		1. Same as in A, above	1. Duty State commissioner of labor, assistant commissioner, and inspectors of the department of labor Attendance officers or other persons empowered to compel school attendance Police officers	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEW JERSEY—Continued other employments, which permits child 10 to 16 desiring to assist in supporting self or family to secure certain light employment in the open air (including running errands) and exempts agricultural pursuits. Such employment must not be otherwise prohibited by law to child under 16 (see Table 1) and must not be carried on within school hours or between 7 p. m. and 6 a. m.]	B—Continued	goods of any kind is carried on") [It is not clear whether this definition includes newspaper plants, printeries, places where printing is carried on, commercial laundries, mines, and quarries, or whether the latter are embraced in those specified in A-III, above]		
NEW MEXICO [No provisions]				
NEW YORK [For street trades, see Table 6] [For public exhibitions, see Table 7] Consolidated Laws 1909 v 3 Labor C 31: Art 1 s 2 (as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650); Art 3-a s 51-52 (as added by 1913 C 145); Art 4 s 56 (as amended by 1913 C 145), 59 (as amended by 1913 C 145); Art 5 s 61 (as amended by 1913 C 145); Art 6 s 70 (as amended by 1913 C 529), 71 (as amended by 1912 C 333), 72, 73 (as amended by 1913 C 144), 75 (as amended by 1913 C 144), 76, 76-a (as added by 1913 C 200), 92; Art 8 s 111 (as amended by 1913 C 463); Art 12 s 160, 161 (as amended by 1914 C 331), 162 (as amended by 1911 C 866), 163 (as amended by 1913	A 14 to 16 "Employment certificate"	In any village or city of 3,000 or over: Mercantile establishment Business office Telegraph office Restaurant Hotel Apartment house Theater Place of amusement Bowling alley Barber shop Shoe-polishing establishment Distribution or transmission of merchandise or articles Distribution or transmission of messages Distribution or sale of articles	(1) Birth certificate If above is not obtainable, and parent so certifies by affidavit, (2) Certificate of graduation from a school having a course of not less than 8 years in duration If no one of above is obtainable, and parent so certifies by affidavit, (3) Passport (4) Baptismal certificate If no one of above is obtainable, and parent so certifies by affidavit, (5) Other documentary evidence satisfactory to issuing officer and approved by board of health by resolution at a regular meeting If no one of above is obtainable, in cities of the first class only, and parent so certifies by affidavit, (6) Certificates of age from two physicians designated by the board of health, after separate physical examination by each and, in case their opinions do not concur, by a third physician	Issuing officer, after making examination, signs statement that child has attained normal development, is in sound health, and is physically able to perform intended work, such physical fitness to be determined by medical officer of the department or board of health

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			Duty—Continued Other persons designated by law to protect children from cruelty and neglect 1. Power only Officer or agent for incorporated society for the protection of children from cruelty and neglect 2(a). Any offense Maximum—$50 or imprisonment for 90 days, or both 2(a). Habitual violation Maximum—$1,000 or imprisonment for 3 years, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2]	B
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, must certify: (1) School attendance of 130 days during 12 months previous to 14th birthday or to applying for school record; (2) That child has received instruction during above period in reading, spelling, writing, English grammar, and geography, and is familiar with arithmetic through fractions; (3) Above-mentioned ability to read and write simple English sentences; (4) Completion of the work prescribed for first 6 years of elementary school Requirement after entering employment: [Compulsory continuation-school attendance under certain conditions—See Table 5, F]			1. Duty State industrial commission: Has duty of enforcement in cities of the first or second class; May investigate and make regulations for carrying law into effect Board of health or health commissioners: In cities other than those of the first or second class, and in towns and villages 1. Power only Truant officers: May inspect establishments 2(a)(b). First offense Minimum—$20 Maximum—$50 2(a)(b). Second offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 30 days, or both 2(a)(b). Third offense Minimum—$250 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NEW YORK—Continued C 144), 164, 165 (as amended by 1913 C 144), 166 (as added by 1913 C 144), 167 (as amended by 1913 C 145), 172 (as amended by 1913 C 145) C L 1909 v 4 Penal C 40: Art 120 s 1275 (as amended by 1913 C 349)	B 14 to 16 "Employment certificate"	Factory (including bakery or laundry other than home laundry where work is done for family trade) *Exemptions:* "Nothing herein contained shall prevent a person engaged in farming from permitting his children to do farm work for him upon his farm. Boys over the age of 12 years may be employed in gathering produce, for not more than 6 hours in any 1 day," subject to the compulsory education law, for which see Table 5	Same as in A, above	Same as in A, above Requirement after entering employment: State medical inspector may require examination of children employed in factories
C L 1910 v 8 Education C 16: Art 23 s 626, 628 (as amended by 1913 C 748), 632, 636	C 14 to 16 "Employment certificate"	In any city of the first or second class: Any occupation	Same as in A, above	Same as in A, above
C L 1910 v 8 Education C 16: Art 23 s 626, 628 (as amended by 1913 C 748), 630 (as amended by 1913 C 101), 632, 633 subdivision 3, 636 [The provisions tabulated in D and E are apparently superseded by those given in A and B, in so far as the former are covered by the latter]	D 14 to 16 "Employment certificate"	Outside of city of the first or second class: Mercantile establishment Factory Business office Telegraph office Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages	Same as in A, above	Same as in A, above
	E 14 to 16 "School-record certificate"	Outside of city of the first or second class: Any occupation other than those mentioned in D, above	School record gives date of birth	
C L 1910 v 8 Education C 16: Art 23 s 622 (as amended by 1913 C 748), 627 (as amended by 1913 C 748), 628 (as amended by 1913 C 748), 631 (as amended by 1913 C 748), 632, 636	F Boy 14 to 16 (If non-graduate) "Employment certificate"	Same as in C, above	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Same as in A, above			1. Duty State industrial commission 1. Power only Truant officers: May inspect establishments 2. Same as in A, above	B
Same as in A, above			1. Same as in F, below 2(a). First offense Minimum—$20 Maximum—$50 2(a). Subsequent offense Minimum—$50 Maximum—$200	C
Same as in A, above			1. Same as in F, below 2. Same as in C, above	D
School record same as in A, above			1. Same as in F, below 2. Same as in F, below	E
Noncompletion of elementary school course—See Table 5, F Educational requirements and school record same as in A, above Requirement after entering employment: [Compulsory evening-school attendance unless attending continuation school]			1. Duty Superintendent of schools: Shall supervise the enforcement of this article in each city, union free school district, or common-school district whose limits include in whole or in part an incorporated village State commissioner of education: Shall supervise enforcement 2. Same as in C, above	F

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
NORTH CAROLINA Pell's Revisal of 1908 Supplement 1913 C 45A s 1981ee(3), 1981ee(4), 1981ee(5) [Above law contains also a requirement of certificate for employment under 16 "at night" in these establishments, but employment under 16 is prohibited 9 p. m. to 6 a. m. in these same establishments—See Table 4, A]	A Under 13 [The minimum age for employment in "factory or manufacturing establishment" is 12—See Table 1, A] Certificate of age and school attendance	Mill Factory Manufacturing plant (Employment in above establishments permitted only "in apprenticeship capacity") [For earlier law requiring statement of age and certificate as to school attendance for employment of child in factory or manufacturing establishment, amended in 1915 so as to impose a penalty, not found in either the earlier law or that here tabulated, of a fine of not less than $500 or imprisonment for not less than 90 days for a second conviction of violation within 12 months, see P R 1908 C 45A s 1981d and C 81 following s 3362-3364 (as reenacted by 1915 C 148 s 3)]	The "certificate" required in column II is from parent, guardian, etc., and shall show age of child	
NORTH DAKOTA Compiled Laws 1913 s 1405, 1407-1409, 1411, 1413 [The compulsory school-attendance requirements (see Table 5, A) would appear to restrict this certificate, if the employment is during school hours, to child who has graduated from the common schools, except in case where "child is actually necessary for support of family"]	A 14 to 16 "Employment certificate"	Mercantile establishment Factory Workshop Mine	One of the following: (1) Birth certificate (2) Passport (3) Baptismal certificate (4) Other religious record (If evidence of age as specified in (2), (3), or (4) is accepted, it must be accompanied by affidavit of parent or guardian)	Issuing officer must examine child and sign statement that in his opinion he has attained normal development and is in sound health and physically able to perform intended work. In doubtful cases such physical fitness shall be determined by medical officer of board or department of health

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
The "certificate" required in column II is from parent, guardian, etc., and shall set forth the fact that child has attended school for 4 months during the preceding 12 months			1. Duty County superintendent of public schools: Must investigate violations and report same to the solicitor of the judicial district in which they occurred [For powers of attendance officers in enforcement of compulsory school-attendance laws, which might indirectly result in the enforcement of these provisions, see Table 5, column VIII] [Certificates are required to be "accessible to any inspector of factories or other authorized officer charged with the enforcement of this act," but there is no further mention of the factory inspector] 2(a). Any offense Violation a misdemeanor [See P R 1908 C 81 s 3293] [See also note in column III]	A
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, certifies: (1) School attendance for 120 days during school year previous to arriving at age of 14 or during year previous to applying for school record; (2) That child has been instructed during above period in reading, spelling, writing, English grammar, and geography, and is familiar with arithmetic through fractions; (3) Above-mentioned ability to read and write simple English sentences [See note in column I]	[See note in column I]		1. Duty Peace officers: May inspect establishments and demand employment certificate; Shall report violations to school board or board of education; May make complaint 1. Power only Local superintendent of schools or clerk of school board or board of education: May demand evidence of age of child apparently under 16 whose employment certificate is not filed, and forbid employment if such evidence be not produced Any person: May make complaint 2(a). Each offense Minimum—$20 Maximum—$50	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References	Age Kind of permit	Occupations or establishments *Exemptions*	Requirements Evidence of age	Requirements Physical
I	II	III	IV	V
OHIO [For public exhibitions, see Table 7] Page and Adams' Annotated General Code 1912 s 871–22 (as added by 1913 p 95), 871–24 (as added by 1913 p 95), 6246, 6248, 7762, 7765 (as amended by 1913 p 864), 7766 (as amended by 1914 p 129), 7767 (as amended by 1913 p 864), 7770 (as amended by 1913 p 864), 7771 (as amended by 1914 p 225), 7773 (as amended by 1914 p 225), 12975, 12982, 12983, 12986, 12993–12994 (as amended by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864), 13007–10 (as added by 1913 p 864), 13007–11 (as added by 1913 p 864) [For penalty under earlier law for employing child 14 to 16 who can not read and write English, see P & A A G C 1912 s 12976]	A Boy 15 to 16 Girl 16 to 18 "Age and schooling certificate"	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement-house, manufactory or workshop" Store Office Office building Restaurant Boarding house Bakery Barber shop Hotel Apartment house Bootblack stand or establishment Public stable Garage Laundry Place of amusement Club Brickyard Lumberyard Construction or repair of buildings Distribution or transmission of merchandise Distribution or transmission of messages [But see Table 1, D, for prohibition of employment of girl under 21 in transmission of messages]	(1) Passport (2) Birth certificate (3) Baptismal certificate (4) Other religious record If no one of above is obtainable, (5) Other documentary evidence satisfactory to issuing officer (attested school census or enumeration record may be accepted in discretion of officer, but not school record or affidavit of parent or guardian) If no documentary proof as above is obtainable, and parent or guardian so certifies, and issuing officer is satisfied that reasonable effort has been made to secure such proof, (6) Physician's certificate of age issued, after examination, by school physician or if there be none by physician employed for this purpose by board of education	Certificate from school physician, or if there be none physician of board of health, or if there be no such board, from licensed physician appointed by board of education, showing that child is physically fit to be employed in any of the occupations permitted by law for child between 15 and 16. If records of school physician show child to have been previously sound in health, issuing officer may, in his discretion, waive this requirement
	B Boy 15 to 16 Girl 16 to 18 "Age and schooling certificate"	Any occupation [not forbidden by law to boy under 16 and girl under 18]	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Proof satisfactory to issuing officer that child has been examined and, if a boy, has passed a satisfactory sixth grade test, or, if a girl, a satisfactory seventh grade test, in reading, spelling, writing, English grammar, geography, and arithmetic In cities, in order to ascertain whether the above requirements have been met, local board of education may appoint juvenile examiner who shall certify that he has examined child and that latter has passed, to his satisfaction, the grade test as above; but if, in his opinion, child is below normal in mental development so that he can not with due industry pass such test and if school record shows child to be below normal in development, juvenile examiner may certify such fact and issuing officer may grant certificate in his discretion. If said examiner is satisfied that the standard of any school is sufficiently high, he may accept the records thereof as showing that child has passed test without further examination [See provisions in C, below] School record, approved by issuing officer and signed by principal or person in charge of school last attended, shows: (1) Number of weeks' attendance during school year previous to applying for school record; (2) Standing in studies enumerated above Requirement after entering employment: [Compulsory continuation-school attendance for boy 15 to 16 under certain conditions—See Table 5, C]		1. Written promise to legally employ child 2. Written agreement of employer to return certificate to issuing officer within 2 days from date of termination of employment, giving reason for termination	1. Duty Factory inspectors [State industrial commission] Truant officers Other officers charged with the enforcement of laws relating to employment of minors 1. Power only Any person: May prosecute violations 2(a). First offense Minimum—$5 Maximum—$50 2(a). Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2(a). Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both 2(b). Any offense (Each day's violation a separate offense) Minimum—$5 Maximum—$20 (All the above penalties apply to "any violation" of the provisions here tabulated. The following specific penalty is incurred for failure to procure and keep on file employment certificates for children under 16) 2(a). Any offense Minimum—$25 Maximum—$100	A
Same as in A, above		1. Same as in A, above 2. Same as in A, above	[The provisions tabulated below appear to be applicable only to employment in such occupations as are not covered by those listed in A–III, above] 1. Duty State industrial commission Truant officers 2(a). Any offense Minimum—$25 (for officer, etc., of corporation) Maximum—$50 (for any person) (Any person convicted of a violation of any law relating to employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
OHIO—Continued	C Boy 15 to 16 Girl 16 to 18 "Special vacation certificate"	Employment during vacation in any occupation not forbidden by law to boy under 16 and girl under 18 [See provisions in B, above, and also Table 1]	Same as in A, above	Same as in A, above
P & A A G C 1912 s 6246, 7765 (as amended by 1913 p 864), 7766 (as amended by 1914 p 129)	D Boy under 16 [15 to 16] Girl under 18 [16 to 18] "Certificate" of physical fitness [May be required after entering employment]	Mercantile establishment Factory Workshop Business office Telephone office Telegraph office Restaurant Bakery Hotel Apartment house Other establishment Distribution or transmission of merchandise Distribution or transmission of messages		If State industrial commission is in doubt as to physical fitness of child found working, it shall require a certificate issued, after examination, by a medical officer of the board of health, certifying that child is of sound health and physically able to perform work required
OKLAHOMA [For public exhibitions, see Table 7] Revised Laws 1910 s 3728, 3731, 3734, 3735, 3737, 3738, 3742, 3745 [The ages to which the provisions tabulated in A and B apply are: 14 to 16 in establishments mentioned by name in A–III; 15 to 16 in injurious, etc., occupations] [The education law appears to make required attendance compulsory each year unless child is mentally or physically incapacitated. It is not clear whether or not the law tabulated in A and B would exempt by implication child able to read and write English]	A Under 16 (if literate) [See first note in column I] "Age and schooling certificate"	Factory Factory-workshop Theater Bowling alley Pool hall Steam laundry Any occupation [not prohibited by law to children under 16; see Table 1, C to E] which is injurious to health or morals or especially hazardous to life or limb—See Table 1, B	Satisfactory evidence by: (1) Last school census (2) Birth certificate (3) City or county register (4) Affidavit of date of birth by legally registered physician (5) School record (public or other school) If no one of above is obtainable, and child appears to be of good health and normal size—at least 5 feet in height and 60 pounds in weight, (6) Affidavit of parent or guardian, or, if child has no parent or guardian, of child himself	Issuing officer, before whom child must appear, must "be satisfied" that he is physically able to perform work intended. In doubtful cases such fitness shall be determined by a medical officer of board or department of health
	B Under 16 (if illiterate) [See first note in column I] "Age and schooling certificate"	Same as in A, above	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Same as in A, above, except that grade test may be waived		1. Same as in A, above 2. Same as in A, above	1. Same as in B, above, including bracketed note 2. Same as in B, above, including bracketed note	C
			1. [See column V] 2. [No specific provision. The penalties quoted in B, above, which apply to all violations of laws relating to employment of minors, may be applicable, but no specific duties are imposed upon employer by the provision tabulated in D]	D
Ability to read and write simple English sentences School-attendance certificate, signed by teacher of school attended, certifies to above literacy [See last note in column I]			1. Duty State commissioner of labor 1. Power only Factory inspector, truant officers [there appears to be no provision for appointment of truant officers], and "other person charged with the administration of this article": May demand proof of age of child apparently under 16 and forbid employment if such proof be not produced 2(a). Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both	A
School attendance during preceding year for time attendance is compulsory by law [See Table 5] School-attendance certificate, signed by teacher of school attended, certifies to above attendance [See last note in column I]			1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
OKLAHOMA—Continued R L 1910 s 3728, 3735, 3742 [The provisions tabulated in C apparently apply to all "children" but they might be interpreted to apply only to children under 16]	C [See note in column I] "Certificate of physical fitness" [May be required after entering employment]	[Any occupation, apparently, but the law might be interpreted to apply only to those listed in A-III, above]		Factory or deputy inspectors may require certificate of physical fitness from licensed physician in good standing for child appearing physically unable to perform work at which engaged
OREGON [For public exhibitions, see Table 7] Lord's Oregon Laws 1910 s 4121 (as amended by 1911 C 243), 5016, 5023 (as amended by 1911 C 138), 5027 (as amended by 1911 C 138), 5028–5029 (as amended by 1911 C 138), 5030 (as amended by 1911 C 138), 5032–5033 (as amended by 1911 C 138), 5035 (as amended by 1911 C 138)	A 14 to 16 "Age and schooling certificate"	Mercantile establishment Factory Workshop Store Business office Restaurant Bakery Hotel Apartment house	Satisfactory evidence by one of the following: (1) Last school census (2) Passport (3) Birth certificate (4) Baptismal certificate (5) Other religious record (6) Town or city register of birth	Issuing officer certifies that child has reached the normal development of a child of his age and is in sound health and physically able to perform intended work
	B 12 to 14 Vacation permit	Any suitable work during any school vacation extending over a term of 2 weeks		State board of inspectors of child labor shall exercise careful discretion as to the character of the employment and its effect on the physical well-being of the child

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. [See column V] 2. [Employment of child who can not obtain certificate demanded may be prohibited. Penalty in A, above, applies to violation of any provision of this article]	C
Issuing officer certifies: (1) Ability to read and write simple English sentences; (2) 160 days' school attendance during the school year previous to arriving at the age of 14 or to applying for school record; (3) That child has received during above period instruction in reading, spelling, writing, English grammar, and geography, and is familiar with arithmetic through fractions [See Table 5, A, for later provision which would appear to require by implication graduation from grammar grades for employment of child 14 to 15 during school hours]			1. Duty State commissioner of labor statistics and inspector of factories and workshops: Shall cause the enforcement of all laws regulating the employment of children, minors, and women Truant officer (in counties of less than 100,000): Shall see that the child labor law is enforced State board of inspectors of child labor or deputy of said board: May inspect factories, workshops, and mercantile establishments; Shall report violations therein to school authorities and to district attorney 2(a). First offense Minimum—$10 Maximum—$25 2(a). Second offense Minimum—$25 Maximum—$50 2(a). Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days	A
		1. [No specific provision] 2. State board of inspectors of child labor shall exercise careful discretion as to the character of the employment and its effect on the moral well-being of the child	1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
PENNSYLVANIA 1915 Pamphlet Laws 286 s 1, 3, 8, 9, 11, 12, 13, 14, 15, 16, 17, 23, 24 [The act tabulated in A and B is in effect Jan. 1, 1916] [The certificate tabulated in A permits employment during entire year, and that in B only on such days as child is not required by law to attend school—See Table 5, A and B] [For earlier certificate law apparently superseded by the provisions tabulated in A and B in so far as it applies to children under 16, see 1909 P L 283 s 1, 3, 4; S P D Supp 1905–1909 v 5 pp 5605–5606 and 1909 P L 283 s 11; S P D Supp 1905–1909 v 5 p 5607 (as amended by 1913 P L 69)]	A 14 to 16 "General employment certificate" [See second note in column I]	Any establishment (any place where work is done for compensation of any kind, to whomever payable) Any occupation *Exemptions:* Farm work Domestic service in private homes	(1) Birth certificate If above is not obtainable, (2) Baptismal certificate If above is not obtainable, (3) Passport If no one of above is obtainable, (4) Other documentary evidence (other than school record or affidavit of age), satisfactory to issuing officer If no one of above is obtainable, and parent or guardian so certifies by affidavit, (5) Certificate of age from school physician or physician appointed by school committee	Certificate signed by a physician approved by the board of school directors, stating that he has examined child, and that he is physically qualified for employment specified—See column VIII. Where physician deems it advisable, certificate may be issued for a limited time
	B 14 to 16 "Vacation employment certificate" [See second note in column I]	Occupations or establishments same as in A, above *Exemptions:* Same as in A, above	Evidence of age "shall be of similar character" to that given in A, above	Same as in A, above
PHILIPPINE ISLANDS [No provisions]				
PORTO RICO [Certificates tabulated in A, B, and C are alternative] 1913 No 42 s 4 (as amended by 1913 Extraordinary Session No 139), 6 (as amended by 1913 Extraordinary Session No 139), 12–14 1913 Extraordinary Session No 139 s 6	A Under 14 [10 to 14] Educational "certificate"	Any lucrative occupation during the hours public schools are open (For definition of "lucrative occupation," see Table 1, A–III) *Exemptions:* Provision does not apply to: Children 10 to 14 who are employed in picking or gathering coffee or in planting, picking, or tending in the field any agricultural or horticultural products in company with or under the direct personal supervision of their parents, guardians, or relatives over 16 years of age	[See provisions in D, below, which would appear to be applicable here]	

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.: (b) Continuing employment contrary to inspector's orders IX	
School record, signed by principal of school attended, or his deputy, certifies that child has completed course of study equivalent to 6th grade of public schools, in the English language, reading, spelling, arithmetic, geography, and United States history Requirement after entering employment: [Compulsory continuation-school attendance under certain conditions—See Table 5, C]		1. A signed statement from prospective employer or his agent. Employment certificate is mailed by issuing officer to employer, who must acknowledge receipt in writing within 3 days after employment of child 2. Employer's promise to employ states character of work and number of hours per day and per week	1. Duty State commissioner of labor and industry Attendance officers Police officers 2 (a). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both [For provision in compulsory education law penalizing employer for employing child 8 to 14 during school hours, see 1911 P L 309 s 1421; S P D Supp 1912 p 114 (as amended by 1915 P L 174), 1911 P L 309 s 1422; S P D Supp 1912 p 115 (as amended by 1915 P L 174), and 1911 P L 309 s 1434; S P D Supp 1912 p 113]	A
		1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
Department of education must certify completion of work necessary for admission to the fourth grade of the public rural schools if child resides in country, or completion of the sixth grade of the public graded schools if he resides in town			1. Duty Porto Rican Bureau of Labor 2(a). First offense Minimum—$25 Maximum—$100 2(a). Subsequent offense Minimum—$100 Maximum—$1,000	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
PORTO RICO—Continued	B Under 14 [10 to 14] Employment [poverty] "certificate"	Occupations or establishments same as in A, above *Exemptions:* Same as in A, above	[See provisions in D, below, which would appear to be applicable here]	
	C Under 14 [10 to 14] Employment "certificate"	Occupations or establishments same as in A, above *Exemptions:* Same as in A, above	[See provisions in D, below, which would appear to be applicable here]	
	D Under 16 "Certificate of age"	Any occupation *Exemptions:* Same as in A, above	(1) Birth certificate If above is not obtainable, (2) Affidavit of parent or guardian If no one of above is obtainable, (3) Affidavit of 2 reputable persons who have knowledge of age of child	
RHODE ISLAND [For street trades, see Table 6] [For public exhibitions, see Table 7] General Laws 1909 C 72 s 4 G L 1909 C 78 s 1 (as amended by 1915 C 1253), 2, 3 (as amended by 1910 C 576)	A 14 to 16 "Age and employment certificate"	Manufacturing establishment Factory Business establishment (Every person, firm, or corporation employing any child under 16 is subject to these provisions, whatever the business conducted) *Exemptions:* Provision does not apply to: Household service Agricultural pursuits Rope or wire walking, or employment as gymnast, wrestler, contortionist, equestrian performer, or acrobat, rider upon bicycle or mechanical contrivance, or in any dancing, theatrical, or musical exhibition [For provisions governing these occupations, see Table 7]	(1) Birth certificate (2) Baptismal certificate (3) Passport If it appears to satisfaction of issuing officer that no one of above is obtainable, (4) Other evidence satisfactory to the secretary of the State board of education	Certificate, after physical examination, from licensed physician (in the city of Providence, either of 2 physicians appointed by the State commissioner of public schools) that child is in sufficiently sound health and physically able to be employed in any occupation in which he may be legally employed Above fitness certified by issuing officer also

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders. IX	
Requirement after entering employment: [Compulsory evening-school attendance under certain conditions—See Table 5, C]	Certificate states that work of child is necessary for his own support or that of invalid parents dependent exclusively on him		1. Same as in A, above 2. Same as in A, above	B
No educational requirements. Certificate is issued only to child living in a community where there are no schools within a reasonable distance wherein accommodation can be furnished For possible requirement of night-school attendance, see provisions in B, above		1. [No specific provision] 2. Certificate shall state the fact that the condition of issuance—no schools within a reasonable distance, etc.—exists and shall authorize the employment of the child	1. Same as in A, above 2. Same as in A, above	C
			1. Same as in A, above 2. Same as in A, above	D
Ability to read and write simple English sentences "determined" and certified by issuing officer			1. Duty Factory inspectors 1. Power only Truant officers: May inspect all places and establishments where children under 15 are employed, and demand lists and certificates of children under 16 2(a). Any offense Minimum—$10 Maximum—$50	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
SOUTH CAROLINA 1912 Criminal Code C 16 s 422, 424, 426 1912 Civil Code C 19 art 11 s 868	A Under 14 [12 to 14] "Permit"	Factory Textile-manufacturing establishment Mine	Sworn statement of parent or guardian recording name, age, place of birth, and residence of child, a duplicate of which is forwarded to issuing officer, who shall thereupon issue the "permit"	
1912 Civ C C 19 art 11 s 871, 872	B Under 14 Statement of age	Any occupation	The document required in column II is a signed statement of the parent or guardian recording the name, age, place of birth, and residence of child	
SOUTH DAKOTA [The requirements tabulated in A and B are alternative] 1913 C 240 s 3–5, 8 [When the provisions given in A are read in connection with those tabulated in Table 1, A, which is a provision of the same act, and Table 1, D, it is not clear that they can apply to any children except those employed in mercantile establishments during vacation]	A Under 14 [See Table 1, A and D] Employment "certificate"	Mercantile establishment Factory Workshop Mine [But see Table 1, B, for provision in earlier law prohibiting employment in mine under 14] [See note in column I] *Exemptions:* [Child barred from employment by these provisions may obtain permit under conditions tabulated in B, below]	The employment certificate shall state age of child	
	B Under 14 Poverty "permit"	Factory Workshop Mine [But see Table 1, B, for provision in earlier law prohibiting employment in mine under 14] Mercantile establishment during school term		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. Duty [See provisions in B, below, for enforcement which would be partially applicable here] 1. Power only State commissioner of agriculture, commerce, and industries: May inspect factories and other establishments; May make investigations as to the employment of children; May inspect statements of age—See column IV 2(a). Each offense Minimum—$10 or imprisonment Maximum—$50 or imprisonment for 30 days	A
			1. Duty Inspectors appointed by the State commissioner of agriculture, commerce, and industries, and under his supervision and control 2. [No specific provision]	B
The employment certificate shall state that child can read and write simple English sentences, or that he is a regular attendant at some school, or during the past 12 months has attended school as required by law, or has been lawfully excused therefrom [See Table 5, A]			1. ["Every factory, workshop, mine, mercantile establishment or other place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the county superintendent of schools"] 2(a). Any offense Minimum—$10 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both	A
	If it appears upon investigation that labor of child is necessary for his support or that of the family to which he belongs		1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

In reading this analysis, the explanatory

			Requirements	
[illegible]	[illegible]	[illegible] Exemptions	Evidence of age	Physical
I	II	III	IV	V
TENNESSEE 1909 C 163 s 1 1911 C [illegible] as amended by 1913 C 170, s 2, 3 as amended by 1913 C 170, c. 7, 9 1915 C 172 s 1 [For provision requiring child under 16 living in any room, apartment, or tenement in which articles are manufactured, altered, repaired, or finished, to obtain a permit from the State department of workshop and factory inspection before engaging in any such work in such place, see 1915 C 170 s 9, 11]	A [illegible] Sworn statement of age	Mines Factory Workshop Laundry Telegraph office Telephone office *Exemptions:* Fruit and vegetable canning factories	The document required in column II is the sworn statement of parent or guardian setting forth place and date of birth of child	
1913 C 9 s 1, 7	B 14 to 16 [See note in column VI] No document specified	[Any occupation in localities where truant officers are appointed]		
1909 C 163 s 5, 8 [The law tabulated in C may be superseded by that given in B, above. See note on 5 (Tenn.) for application of act]	C 8 to 16 No document specified	Any occupation during period of year when schools are in session		
TEXAS [There are no specific provisions, but see Table 1, A, for prohibition of employment in any occupation during school hours unless child is lawfully excused from school attendance, and Table 5 for conditions under which such excuse may be obtained]	A			

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
[See provisions in B, below]			1. Duty Chief State inspector of "workshops and factories": Shall enforce all laws relating to "workshops and factories" (Term includes manufacturing, mechanical, and mercantile establishments, telegraph and telephone offices, or any kind of an establishment wherein labor is employed or machinery used); Has full power to enforce all labor laws except those relating to mining 2(a). Any offense Minimum—$25 Maximum—$250	A
[Truant officers must enforce compulsory school-attendance law and have power to inspect office, factory, or business house employing children under 16 and to require certificate of school attendance from child subject to law. This would practically require for children 14 to 16 ability to read and write in case of employment during school hours and a certificate showing child had attended school in case of employment outside school hours—See Table 5]			[See column VI]	B
Child shall first have attended school during current term as required by law or shall have been excused therefrom [See Table 5 for attendance required and exemptions under compulsory school-attendance law now in force]			1. Duty Local school boards 2(a). Each offense Fine of $10	C
				A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Physical V
UTAH [For street trades, see Table 6] [For public exhibitions, see Table 7] [Certificates tabulated in B and C are alternative] 1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 2–5, 13, 14	A [Over 14—See column III] "Employment certificate"	[The law does not specifically state for what occupations or between what ages the employment certificate, the requisites for which are prescribed, is required, but it may be inferred that it is required for employment of any child over 14 in any occupation]	[See column IX]	
Compiled Laws 1907 s 1962, 1964 [For other less important reasons for which similar certificate may be obtained, see Table 5, A]	B 8 to 16 "Certificate" [For school non-attendance]	[The provisions for this certificate make no specific mention of employment, but since child can not leave school under 16 without obtaining such certificate, it appears to be a prerequisite for all employment during school hours though it might not permit employment]		
	C 8 to 16 "Certificate" [For school non-attendance]	Same as in B, above		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Ability to read and write simple English sentences. Examination by issuing officer School record, signed by principal or chief executive officer of school attended, certifies: (1) 100 days' school attendance during year previous to arriving at age of 14 or to applying for said record; (2) Above-mentioned ability to read and write simple English sentences			1. Duty State commissioner of immigration, labor, and statistics: Must "investigate and report to the proper authorities all violations of law regarding the conditions surrounding the employment of children, minors and women, and the laws established for the protection of all employees in factories, mines, mills, and other institutions where labor is employed" "Any authorized inspector [State commissioner of immigration, labor, and statistics]" or truant officer: Shall demand proof of age from "any employer" of child apparently under 14, and forbid employment if such proof be not produced 2(a). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
Evidence satisfactory to issuing officer that "child has already acquired the branches of learning taught in the district schools"			1. Duty President of local board of education: In cities Chairman of district school trustees: In districts 2. [No specific provision]	B
	Evidence satisfactory to issuing officer that services of child are necessary to support of mother or invalid father		1. Same as in B, above 2. [No specific provision]	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
VERMONT Public Statutes 1906 C 50 s 1044 (as amended by 1912 No 75 s 10), 1045 (as amended by 1912 No 75 s 11), 1048 (as amended by 1910 No 70 s 8), 1049 1910 No 69 s 4 (as amended by 1912 No 75 s 2) 1910 No 70 s 5, 6 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3 [See Table 5, B, for later provision permitting child whose services are necessary for support of those dependent on him to leave school at 15 if he has completed 6th grade]	A Under 16 [From age of graduation from elementary schools to 16] [See note in column I] Employment "certificate"	Work connected with: Manufacturing Railroading Mining Quarrying Employment in: Hotel Bowling alley Delivery of messages [The certificate is necessary for employment at any time, but the requirement in column VI does not appear to apply to employment outside school hours or during vacation]	[When required by town or union superintendent of schools (issuing officer), parent or guardian seeking "employment certificate" for child shall furnish "evidence of age"] [See also provisions in B, below, which apply to any employment]	
P S 1906 C 50 s 1048 (as amended by 1910 No 70 s 8) 1910 No 70 s 4–6 ["An employer may, and upon written request of the town or city grand juror, State's attorney or the attorney general, shall require" this certificate]	B Any minor "Certificate" of age [May be required before or after entering employment—See note in column I]	[Any occupation]	The certificate, signed by parent or guardian, shows date and place of birth	
VIRGINIA Codo 1904 s 1790c (7) (as addod by 1914 C 321) 1908 C 301 s 1 (as amended by 1914 C 339), 3 (as amended by 1914 C 339), 6 (as amended by 1914 C 339) [The provisions tabulated in A constitute both an exemption from those tabulated in B and a permit for employment] [For parent's affidavit of age which may be required	A 12 to 14 "Release" granted by court [See note in column I]	Occupations or establishments same as in B, below, with following addition: In any city of 5,000 population or over according to 1910 census: Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or sale of merchandise [But see Table 1, B and D, in regard to minimum age in mines] *Exemptions:* Same as in B, below		

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Certificate is "to the effect that" child "is eligible to employment in accordance with the provisions of this chapter," which appear to demand that, if employment is during school hours, he shall have completed the course of study prepared for the elementary schools by the superintendent of education. If he has attended private or parochial school, the issuing officer (town or union superintendent of schools) may examine him to determine whether he fulfills these requirements			1. Duty Town or union superintendent [of schools] State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Truant officers "All informing officers": May make complaint 2(a)(b). First offense Minimum—$5 Maximum—$200 2(a)(b). Second offense Minimum—$5 or imprisonment Maximum—$200 or imprisonment for 6 months	A
			1. Power only [For persons having power to require certificate, see note in column I] 2. Same as in A, above	B
	[See column VIII]	1. [No specific provision] 2. Upon petition of parent, guardian, or other person interested in child to circuit or corporation court, the court may "for good cause shown entered of record" release child from operation of this act [1908 C 301 s 1–6 (as amended by 1914 C 339)]—See B, below, and Table 1, B	1. Same as in B, below 2. Same as in B, below	A

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
VIRGINIA—Continued for employment in coal mine, apparently in large part superseded by the provisions tabulated in A and B, see 1912 C 178 s 15]	B Under 16 [14 to 16—See A-II, above] "Employment certificate"	Mercantile establishment Factory Workshop Mine Laundry Bakery Brickyard Lumberyard Distribution, transmission, or sale of merchandise *Exemptions:* Factory engaged exclusively in packing fruits and vegetables, between July 1 and Nov. 1 Mercantile establishment in any town of less than 2,000 or in a country district Employment of child by his parent in factory, workshop, mercantile establishment, laundry, or other place owned or operated by said parent	(1) Birth certificate If above is not obtainable, (2) Passport (3) Baptismal certificate If no one of above is obtainable, (4) Other documentary evidence (including school census or school record, duly attested) satisfactory to issuing officer If no one of above is obtainable, and parent or guardian so certifies by affidavit, (5) Affidavit of age, etc., signed by parent or guardian	
WASHINGTON Pierce's Code title 291 s 101, 151, 153 [P C 1912 t 291 s 151 may have been repealed by 1909 C 249 s 52]	A 12 to 14 "Permit"	Any occupation in the following establishments which is not, in the judgment of issuing officer, dangerous or injurious to health or morals of child: Factory Mill Workshop Store		
P C 1912 t 135 s 27, 389 P C 1912 t 291 s 101	B Boy under 14 Girl under 16 "Permit"	Store Shop Factory Mine [But see Table 1, D, and the provisions in E, below] Inside employment *Exemptions:* Inside employment connected with: Farm work Housework		
P C 1912 t 291 s 101, 151, 153 [P C 1912 t 291 s 151 may have been repealed by 1909 C 249 s 52]	C Boy 14 to 19 "Permit"	In any city of the first class: Public messenger in the employ of any telegraph, telephone, or messenger company	[See column VI]	[See column VI]

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be born in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. Duty State commissioner of labor (chief factory inspector): "Shall secure the enforcement of all laws * * * relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions" 2(a). Any offense Minimum—$25 Maximum—$100 (Above penalty is incurred for employment contrary to law in "factory, workshop, mercantile establishment or laundry")	B
	Evidence satisfactory to issuing officer that child's labor is necessary for its support or for the assistance of parent		1. Duty State commissioner of labor and his assistants 2(a). Each offense Minimum—$10 or imprisonment, or both Maximum—$500 or imprisonment for 6 months, or both	A
			1. Same as in A, above 2(a). Any offense Maximum—$250 or imprisonment for 90 days	B
Permit is "subject to such limitations and conditions as may be imposed" by issuing officer	[See column VI]	[See column VI]	1. Same as in A, above 2. Same as in A, above	C

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
WASHINGTON—Continued P C 1912 t 291 s 101 P C 1912 t 413 s 839, 841, 843, 845	D Under 15 School exemption "certificate"	Any occupation during school hours	Certificate shall state age of child	
P C 1912 t 291 s 101 P C 1912 t 345 s 143, 163	E Boy 14 or over (if employer is in doubt as to age) "Certificate" of age	Inside employment in [coal] mine	Document required in column II consists of "proof of age by certificate" from parent or guardian	
	F Boy 16 or over (if employer is in doubt as to age) "Certificate" of age	Employment in outside structures or workings of colliery *Exemptions:* Provision does not apply to: Employment of "boys of suitable age" in office or in clerical work	Same as in E, above	
WEST VIRGINIA Hogg's Code 1913 C 15H s 530–533 [No requirements are specified for the permit tabulated in B, but it appears that the certificate tabulated in A would also be required]	A Under 16 "Employment certificate"	Factory Mill Workshop Manufacturing establishment Any business or service during school hours	(1) Passport (2) School census record If no one of above is obtainable, (3) Affidavit of parent or guardian	Certificate shall not be granted until child has appeared before issuing officer and said officer "has satisfied himself" that child has attained normal development and is in sound health and physically able to perform intended work
	B Under 14 "Written permission"	Any business or service during school hours	[See note in column I]	[See note in column I]

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.: (b) Continuing employment contrary to inspector's orders IX	
Certificate shall state that child has been excused from school attendance [For conditions under which he may be excused, see Table 5, A]			1. Duty State commissioner of labor and his assistants Attendance officers: Have duty of enforcement; May inspect stores, mills, shops, and other places where children may be employed 2(a). Any offense Maximum—$25	D
			1. Same as in A, above 2(a). Any offense Minimum—$200 Maximum—$500	E
			1. Same as in A, above 2. Same as in E, above	F
Ability to read and write simple English sentences. Issuing officer must satisfy himself that child has such ability School record signed by principal or chief executive officer of school certifies: (1) Above-mentioned ability to read and write simple English sentences; (2) Instruction equivalent to that given in first 4 grades of common schools		1. [No specific provision] 2. Work which child intends to do shall be stated on employment certificate	1. Duty Prosecuting attorney Truant officers, inspectors of factories, and authorized agents of the humane society: Shall expose all violations to prosecuting attorney 2(a). Each offense Minimum—$10 Maximum—$50	A
[See note in column I]		[See note in column I]	1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
WEST VIRGINIA Continued H C 1913 C 15H s 470 (as amended by 1915 C 10 s 11, 14), 495 (as amended by 1915 C 10 s 86) 1915 C 10 s 33 [See H C 1913 C 15H s 485 (as amended by 1915 C 10 s 32) for affidavit of parent or guardian required for employment of boy 14 or over at any time in coal mine in which 5 or more persons are employed]	C Boy 16 or over [See note in column I] "Affidavit" of age	The following at any time when a free school is in session in district where boy resides: Coal mine in which 5 or more persons are employed in a 24-hour period [See note in column I]	Affidavit of parent or guardian	
WISCONSIN [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes C 27 s 439ca St C 83 s 1728a.1, 1728a.2, 1728a-3.2, 1728a-4.1, 1728a-4.2, 1728c-1.1, 1728d.1, 1728e.1, 1728e.4, 1728g St C 110a s 2394-52, 2394-70 [Section 1728b.2 requires an employment "permit" for employment of child under 16 in list of occupations identical with those given in A-III, except that "any gainful occupation or employment" and "delivery of merchandise" are omitted and "office" is added]	A 14 to 16 Employment "permit"	Mercantile establishment Factory Workshop Store Hotel Restaurant Bakery Laundry Telegraph service Telephone service Public messenger service Delivery of merchandise Any gainful occupation or employment *Exemptions:* Agricultural pursuits	(1) Birth certificate (2) Certificate from person in charge of public or equivalent school having 8 grades, showing that child is a graduate and is recorded as over 14 (3) Passport (4) Baptismal certificate If no one of above proofs exists or is obtainable, (5) Such proof as may be satisfactory to issuing officer	Issuing officer may refuse permit to child who seems physically unable to perform work at which he may be employed
	B 12 to 14 Vacation "permit"	The following occupations, in town, district, or city where child resides, during school vacation: Store Office Mercantile establishment Warehouse Telegraph service Telephone service Public messenger service	Same as in A, above	Same as in A, above

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
			1. Duty District mine inspectors, under direction of chief of department of mines 2(a). Any offense Minimum—$25 or imprisonment Maximum—$100 or imprisonment for 30 days	C
School certificate, signed by local superintendent of schools, principal of school last attended, or, if both are absent, clerk of school board, must state: (1) Number of years child has attended school; (2) That child has complied with compulsory school-attendance requirements (for which see Table 5, A) during 12 months preceding date of certificate or fourteenth birthday; (3) That he has been instructed during said year in spelling, reading, writing, English grammar, and geography; (4) That he is able to read and write simple English sentences and is familiar with arithmetic through fractions In lieu of above-mentioned educational attainments, certificate may state that child has passed successfully fifth grade, or has attended school 7 years Requirement after entering employment: [Compulsory continuation-school attendance under certain conditions—See Table 5, D]		1. Written statement of intention to employ from prospective employer or his agent	1. Duty State industrial commission Truant officers: Must inspect establishments and report cases of illegal employment to school authorities and to State industrial commission; May demand certificates; May make complaint 1. Power only Police officers and citizens: May make complaint 2(a)(b). Each offense Minimum—Forfeiture of $10 to State Maximum—Forfeiture of $100 to State [A civil suit may be brought for violation]	A
		1. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B

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TABLE 2.—REQUIREMENTS FOR ENTERING

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Occupations or establishments *Exemptions* III	Requirements Evidence of age IV	Requirements Physical V
WISCONSIN—Continued St C 27 s 439ca St C 83 s 1728a–11, 1728a–13, 1728a–14, 1728a–16, 1728b.2, 1728d.1 St C 110a s 2394–52 [There are as yet—Jan. 1, 1915—no such schools as are specified in C–III. For other requirements for attendance at continuation school, see A–VI]	C Minor over 14 (if literate) "Written permit"	Any industry in city, town, or village where a "public evening school or continuation school, for the industry in which minor is to work, is maintained" [See note in column I]		
	D Minor over 14 (if illiterate) "Written permit"	Same as in C, above		
WYOMING [No provisions]				

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EMPLOYMENT [SEE TABLE 3]—Continued

notes on pp. 467–475 should be borne in mind]

Requirements—Continued			Enforcement	
Educational VI	Poverty VII	1. Promise of employment 2. Other VIII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) Employment without certificate or permit, etc.; (b) Continuing employment contrary to inspector's orders IX	
Permit must certify that child can read and write simple English sentences			1. Duty State industrial commission: Has duty of enforcing "all the provisions of the statutes regulating or relative to child labor" [Truant officers may have the duty and certainly have the power of enforcement] 2(a). Each offense Minimum—$10 Maximum—$100 (Above penalty may be recovered from corporation in action for debt or assumpsit)	C
Permit states that child is a regular attendant at evening or continuation school [See column III] Requirement after entering employment: [Compulsory continuation or evening school attendance, unless exempted—See Table 5, C]			1. Same as in C, above 2. Same as in C, above	D

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
ALABAMA [For street trades, see Table 6] 1915 p 193 s 7, 9, 11, 12, 17 [See notes in column I of Table 2]	A Under 16 [For minimum age, see Table 1, B] "Employment certificate"		State factory inspector	City or town superintendent of schools, or county superintendent of education, or deputy of either
[Requirement tabulated in Table 2, B, specifies no document]	B			
ALASKA [No provisions]				
ARIZONA [For street trades, see Table 6] Revised Statutes 1913 Civil Code title 14 C 2 s 3110, 3116–3119, 3126, 3137	A 14 to 16 "Employment certificate"			Town, city, or county superintendent of schools or his deputy, or deputy of school board Exception: No authorized person shall issue certificate for child then in or about to enter the employment of said person or of a firm or corporation of which he is a member, officer, or employee
	B Boy 10 to 14 "License" to work outside school hours			Board of trustees of school district
R S 1913 Civ C t 11 C 14 s 2802	C 14 to 16 Graduate "permit"			Local board of school trustees
	D 14 to 16 Nongraduate "permit"			Same as in C, above
ARKANSAS 1914 A 1 s 7–11, 13 [For earlier law requiring certificates for employment in factories and manufacturing establishments, perhaps partially or entirely superseded by these later provisions, see 1907 A 456 s 1, 5–8 and 1913 A 322 s 12]	A Under 16 "Employment certificate"		[State superintendent of public instruction must "provide suitable blanks * * * on which may be recorded conclusive evidence as to the age and educational standing of every child applying for an employment certificate." But this provision would not seem to refer to the employment certificate itself]	Local superintendent or principal of the public schools, or his deputy State commissioner of labor and statistics or his deputy Exception: No person shall issue certificate to child then in or about to enter the employment of said person or of a firm or corporation of which he is a member, officer, or employee (Certificate is subject to revocation by State commissioner of labor and statistics if "issued in violation of this act")

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REQUIRED [SEE TABLE 2]

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
"Officials charged with the enforcement of this act" [State factory inspectors]	With employer	1. To child; if not claimed by him within 10 days, to issuing officer 2. [For penalty for violation of any provision of this act, see Table 2, A–IX]		A
				B
School-attendance officers Inspectors of factories [there is no law providing for factory inspection], mercantile establishments, or mines, or other authorized inspector	With employer	1. To issuing officer immediately 2. Any offense Minimum—$5 Maximum—$50	1. Return of certificate 2. [See column VIII]	A
				B
Attendance officers Peace officers School trustee, teacher, principal, or superintendent of district	Same as in A, above			C
Same as in C, above	Same as in A, above			D
"The proper official" [For persons authorized to enforce, see Table 2, A–IX]	With employer			A

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
CALIFORNIA [For public exhibitions, see Table 7] [The permits tabulated in A and B are alternative, and the permit given in C may be substituted for either during vacation] Deering's General Laws 1909 A 1611 (as amended by 1915 C 625) s 1–3, 9–12 [Child over 14 may obtain a permit to work outside school hours upon compliannce with requirements for the issuance of an age and schooling certificate. See provisions in D and E]	A 14 to 15 Temporary poverty "permit to work"	6 months	Commissioner of State bureau of labor statistics	Superintendent of city or county schools (Permit is subject to revocation by commissioner of State bureau of labor statistics or by issuing officer, if it shall be found that conditions for legal issuance do not exist)
	B 14 to 15 Graduate "permit to work"		Same as in A, above	Same as in A, above
	C 12 to 15 Vacation "permit to work"	End of vacation period (if issued for regular vacation)		Principal or vice principal of school attended, or secretary of local school trustees or board
	D Over 15 (if graduate) [See note in column I] "Age and schooling certificate"		Commissioner of State bureau of labor statistics; certificate to be substantially in form prescribed by law	Superintendent of city or county schools or his deputy, or deputy of local school trustees, or superintendent or principal of any school of recognised standing (Permit is subject to revocation as specified in A, above)
	E 15 to 16 (if nongraduate) [See note in column I] "Age and schooling certificate"		Same as in D, above	Same as in D, above
COLORADO [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative, and the permit tabulated in E may apparently be substituted for those in A to D, inclusive, during vacation] Mills' Annotated Statutes revised edition 1912 s 660, 662, 663, 665, 672, 673	A 14 to 16 (if literate) "Age and school certificate"		Form "as indicated" in law	Local superintendent of schools or his deputy, or deputy of school board Superintendent or principal of a parochial school Exception: No authorized person shall issue certificate to child then in or about to enter establishment of said person, or the employment of a firm or corporation of which he is a member, officer, or employee
	B 14 to 16 (if illiterate) "Age and school certificate"		Same as in A, above	Same as in A, above
[Requirement tabulated in Table 2, C, specifies no document]	C			

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Attendance officers Probation officers Officers of State bureau of labor statistics	With employer	1. To child 2. [For penalty applying to violation of any of the provisions of this act, see Table 2, A–IX]		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		C
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Issuing officer must be notified within 1 week 2. [For penalty applying to violation of any of the provisions of this act, see Table 2, A–IX]	D
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in D, above 2. Same as in D, above	E
Deputy State labor commissioner [factory inspector], his assistants or deputies	With employer	1. To child; if not claimed by him within 30 days, to local superintendent of schools or school board 2. First offense Minimum—$5 Maximum—$100 2. Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
				C

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TABLE 8.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
COLORADO—Continued M A S re 1912 s 657, 671	D Under 14 "Permit"			City or county superintendent of schools or deputy of either, in his discretion, his refusal to grant being subject to final decision of county or juvenile court, upon appeal (Permit is subject to revocation by county juvenile court upon complaint of any person showing violation of conditions, etc.)
	E 12 to 16 Vacation "permit"	During that part of June, July, and August when public schools are not in session		Same as in D, above
CONNECTICUT 1911 C 119 s 1–3, 5	A 14 to 16 Employment "certificate"		State board of education	Secretary or agent of State board of education or other school official designated by said board
1913 C 211 s 1	B 14 to 16 "Vacation certificate"	During summer vacation		Secretary or agent of State board of education
General Statutes revision 1902 s 2147 [The provisions tabulated in C, so far as they relate to occupations for which "employment certificates" are required, are apparently superseded by those tabulated in A, above]	C 14 to 16 (if illiterate) "Certificate" of evening-school attendance			Teacher of evening school attended

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Humane society Probation officers Factory inspectors				D
Same as in D, above				E
Secretary or agent of State board of education	With employer	[See column IX]	1. State board of education must be notified "promptly". 2. Any offense Maximum—$10	A
				B
				C

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
DELAWARE [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Statutes 1915 C 71 s 2325 R S 1914 C 90 s 3149–3151, 3156 (as amended by 1915 C 221), 3179, 3182 [The permit tabulated in C may be issued to any child "under the age as specified" in R S 1914 C 90 s 3144–3192. The occupations and establishments for employment in which a minimum age is fixed by those sections are given in Table 1, A to G, inclusive, and those for employment in which a certificate is required under a certain age are given in Table 2, A and B]	A Under 16 [12 to 16] "Employment certificate"		State labor commission	Superintendent of schools of Wilmington or his deputy County superintendent of schools or his deputy Exception: No person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee
	B Under 16 [14 to 16] "Employment certificate"		Same as in A, above	Same as in A, above
	C [Age not specified—See note in column I] "Permit"	1 year		Judge of juvenile court of Wilmington or resident judge of county, and agent of society for prevention of cruelty to children, in their discretion, on presentation of case by State child labor inspector
DISTRICT OF COLUMBIA [For street trades, see Table 6] [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative] Code 1911 p 441 s 2, 3; p 442 s 5, 6; p 443 s 7	A Under 16 [14 to 16] "Age and schooling certificate"		Form prescribed by law	Superintendent of schools of the District of Columbia or his deputy
	B Under 16 [14 to 16] [Poverty] "age certificate"		Same as in A, above	Superintendent of schools of the District of Columbia or his deputy, subject to the approval of the judge of the juvenile court
C 1911 p 441 s 1	C 12 to 14 Temporary poverty "permit"	"A definite time"		Judge of juvenile court of the District of Columbia (Permit is subject to revocation at the discretion of issuing judge or his successor in office)
FLORIDA Compiled Laws 1914 s 2642d, 2642e, 2642l, 3728a	A Under 16 [For minimum age, see Table 2, A–IV, and also Table 1, B] "Employment certificate"			County superintendent of schools or his deputy, or deputy of school board Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State child labor inspector	With employer	1. To issuing officer within 24 hours if said return is demanded by child; otherwise within 15 days 2. Any offense Minimum—$5 Maximum—$50	1. Return of certificate 2. [See column VIII]	A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
				C
Child labor inspectors [2 detailed privates of police force] Truant officers	With employer	1. To child; if not claimed by him within 30 days, to superintendent of schools of the District of Columbia 2. Any offense Maximum—$20		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
				C
Judicial and police officers of town or city State labor inspector or city or county officers ("in factories, workshops, mines, and mercantile establishments")	With employer	1. To child or to parent or guardian 2. Any offense Fine of $10		A

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TABLE 8.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
GEORGIA [For public exhibitions, see Table 7] [The certificates tabulated in A and B are alternative 14 to 14½] Code 1914 Civil s 3149(b), 3149(c), 3149(f)	A 14 to 14½ Employment "certificate"		State commissioner of [commerce and] labor	City or county superintendent of schools (Certificate is subject to revocation by State commissioner of [commerce and] labor, to whom duplicates of certificates issued are furnished within 4 days, if in his judgment it was improperly issued. He may investigate true age of child, hear evidence, and require production of relevant books or documents)
C 1914 Civ s 3149(e)	B 12 to 14½ Temporary poverty "certificate"	6 months		Commission composed of county school superintendent and the ordinary of county in which child is to work and head of the school in district where he lives
HAWAII [No provisions]				
IDAHO 1911 C 159 s 168, 170	A 14 to 16 "Age record"			
[Requirement tabulated in Table 2, B specifies no document]	B			
ILLINOIS [For public exhibitions, see Table 7] Hurd's Revised Statutes 1913 C 48 s 20a, 20c, 20d, 20f, 20h, 20i, 20m [For law covering certain establishments, largely superseded by the provisions tabulated in A and B, in which affidavit of age by parent, etc., is required as a condition of employment, see H R S 1913 C 48 s 34, 39, 40]	A 14 to 16 (if literate) "Age and school certificate"		Form "as indicated" in law	Local superintendent of schools or his deputy, or deputy of school board Superintendent or principal of parochial school Exception: No authorized person shall issue certificate to child then in or about to enter establishment of said person, or the employment of a firm or corporation of which he is a member, officer, or employee
	B 14 to 16 (if illiterate) "Age and school certificate"			Same as in A, above

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State commissioner of [commerce and] labor and his authorized assistants	With employer			A
	Same as in A, above			B
["A failure to produce to a truant officer, policeman, probation officer, or school authority the age record * * * shall be prima facie evidence of the illegal employment of any person whose age record is not produced"]	With employer			A
				B
State factory inspector, his assistants, or deputies	With employer	1. To child; if not claimed by him within 30 days, to local superintendent of schools or school board 2. Each offense Minimum—$5 Maximum—$100		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
ILLINOIS—Continued [Requirement tabulated in Table 2, C, specifies no document]	C			
H R S 1913 C 48 s 24	D Any minor "Certificate of physical fitness" [May be required after entering employment]			Regular physician of good standing
H R S 1913 C 93 s 28	E Boy over 16 [16 to 21] Evidence of age			[There is no document required separate from the evidence of age specified in Table 2, A-IV]
INDIANA Burns' Annotated Statutes 1914 s 6676, 6677 [Child physically or mentally unfit to attend school according to certificate from reputable licensed practicing physician is apparently exempted—B A S 1914 s 6675]	A 14 to 16 [See note in column I] "Employment certificate"			Executive officer of local school corporation or his deputy
B A S 1914 s 6677, 8022, 8038, 8042, 8044, 8045 [The provisions tabulated in B are apparently superseded by those of the later law tabulated in A, above, in so far as they are covered by those provisions]	B 14 to 18 "Affidavit" of age			
[Requirement tabulated in Table 2, C, specifies no document]	C			
B A S 1914 s 8022, 8038, 8042, 8044, 8045	D 14 to 18 "Certificate of physical fitness" [May be required after entering employment]			Any regular physician

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
				C
[Certificate may be required by State factory inspector, his assistants, or deputies]				D
	[Evidence of age is submitted to employer]			E
Inspectors of the State industrial board Attendance officers	With employer	1. Notification tabulated in column IX shall be "on blanks to be attached to certificate by school corporation and it shall be unlawful for employer to reemploy child without like new certificate." This provision apparently necessitates return of certificate to local school corporation 2. [No specific provision]	1. Local school corporation must be notified immediately 2. Any offense Minimum—$10 Maximum—$50	A
Same as in A, above	Same as in A, above			B
				C
[Certificate may be required by the State industrial board]				D

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
IOWA [For street trades, see Table 6] [For public exhibitions, see Table 7] Code 1897 Supplemental Supplement 1915 s 2477-d	A 14 to 16 "Work permit"		State superintendent of public instruction	Local superintendent of schools or his deputy or deputy of local school board
KANSAS [For public exhibitions, see Table 7] General Statutes 1909 s 5096, 5097 1913 C 217 s 3	A Under 16 [For minimum age, see Table 2, A-II] (1) "Certificate of age" (2) Affidavit of age		Substantially in form prescribed by law	(1) Certificate of age—School superintendent, principal or teacher of the school, or other person authorised by school board to have charge of school census records (2) [Document required is affidavit of parent or guardian]
G S 1909 s 4906	B 12 to 16 [See note in Table 2, B-II] School certificate			School-teacher
G S 1909 s 7737	C 8 to 15 "Permit"			Board of school directors of country district or board of education of city of the first or second class
[Requirement tabulated in Table 2, D, specifies no document]	D			
[Requirement tabulated in Table 2, E, specifies no document]	E			
KENTUCKY [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes 1915 s 331a.2, 331a.3, 331a.6, 331a.16	A 14 to 16 "Employment certificate"		State superintendent of public instruction	Local or county superintendent of schools or his deputy

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Commissioner of State bureau of labor statistics	With employer	1. To issuing officer within 2 days 2. [For penalty applying to violation of any of the provisions of this act, see Table 2, A-1X]	1. Return of certificate 2. [See column VIII]	A
State commissioner of labor and industry and his deputies	With employer			A
	Same as in A, above			B
				C
				D
				E
Truant officers State labor inspectors	With employer	1. To issuing officer within 2 days 2. Any offense Fine of $10	1. Return of certificate 2. [See column VIII]	A

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
LOUISIANA [For public exhibitions, see Table 7] [For excuse from school attendance (in cities of over 25,000 except Parish of Orleans) of child 8 to 14 who is sole dependence of infirm persons or mother or sisters in necessitous circumstances, and implied permission to work, on certificate from local superintendent of schools, see later law, 1914 A 91] Wolff's Revised Laws Supplement 1904–1908 v 3 p 414; 1908 A 301 s 1 (as amended by 1914 A 133 s 2), 2, 6, 8	A Over 14 [14 to 16] "Age certificate"		Form prescribed by law	State factory inspector New Orleans factory inspector Exception: No authorized person shall issue certificate to child then in or about to enter establishment of said person, or the employment of a firm or corporation of which he is a member, officer, or employee (Certificate is subject to cancellation by State factory inspector, to whom duplicates of certificates issued are sent, or other factory inspector, if fraudulently obtained)
	B "Any child" [14 to 16] "Certificate" of physical fitness [May be required after entering employment]			City or parish physician
MAINE Revised Statutes 1903 C 15 s 51 (as amended by 1913 C 79) 1915 C 327 s 2, 5 The provisions in A-VI, A-VII, A-VIII, and A-IX may be applicable to the permit tabulated in B, but the law is not clear as to this point]	A 14 to 16 "Work permit"		Commissioner of labor [and industry]; form to be approved by attorney general	City or town superintendent of schools or his deputy Exception: No person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, stockholder, officer, or employee (The local superintendent of schools shall cancel permit, if it was improperly issued, when so directed by the State commissioner of labor [and industry] to whom papers required for the issuance of the permit are sent monthly)
	B 14 to 16 "Vacation permit"	First Monday of September	Same as in A, above	Local superintendent of schools or his deputy

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State or other factory inspector	With employer	1. To child; if not claimed by him within 30 days, to State factory inspector for cancellation 2. Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 6 months, or both (Above penalty is incurred for "any violation of this act")		A
[Certificate may be required by factory inspector]				B
Truant officer, factory inspector, or other officer charged with the enforcement of this act	With employer	1. To child 2. [For penalty applying to violation of any of the provisions of this act, see Table 2, A–IX]	1. State commissioner of labor [and industry] must be notified immediately 2. [For penalty applying to violation of any of the provisions of this act, see Table 2, A–IX]	A
[See note in column I]	[See note in column I]	[See note in column I]	[See note in column I]	B

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
MARYLAND [For street trades, see Table 6] [For public exhibitions, see Table 7] Annotated Code 1911 v 3 (1914) art 27 s 344; art 77 s 166; art 100 s 4, 5, 9–12, 16, 18–20, 39 [The certificate tabulated in A permits employment during entire year; those in B and C only during such time as child is not required to attend school—See Table 5]	A 14 to 16 "General employment certificate"		State bureau of statistics and information	In Baltimore city, chief of State bureau of statistics and information; in counties, above chief or county superintendent of schools or deputy Exception: No person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee
	B 12 to 14 "Vacation employment certificate"		Same as in A, above	Same as in A, above
	C 14 to 16 "Vacation employment certificate"		Same as in A, above	Same as in A, above
MASSACHUSETTS [For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Laws 1902 C 44 s 1 (as amended by 1913 C 779 s 1 and by 1915 C 81 s 1) 1909 C 514 s 57 (as amended by 1913 C 779 s 15), 58 (as amended by 1913 C 779 s 16), 60 (as amended by 1913 C 779 s 18), 64 (as amended by 1913 C 779 s 22), 66 (as amended by 1913 C 779 s 23)	A 14 to 16 "Employment certificate"		State board of labor and industries after conference with State board of education and approval of attorney general	City or town superintendent of schools or his deputy, or deputy of school committee Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of firm or corporation of which he is a member, officer, or employee
	B 14 to 16 Home permit [See Table 5]			City or town superintendent of schools
	C 16 to 21 (if literate) "Educational certificate"		Same as in A, above	Same as in A, above
	D 16 to 21 (if illiterate) "Educational certificate"		Same as in A, above	Same as in A, above

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Attendance officers Factory inspectors Other authorized inspectors or officers charged with enforcement	With employer	1. To issuing officer by registered mail within 24 hours if return is demanded by child; if not, within 15 days. Issuing officer must notify chief of State bureau of statistics and information of return 2. Any offense Maximum—$50	[See column VIII]	A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	Same as in A, above	B
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	Same as in A, above	C
State board of labor and industries or its agents or inspectors Agents of State board of education Attendance officers	With employer	1. To issuing officer within 2 days 2. Any offense Minimum—$10 Maximum—$100	1. Return of certificate 2. [See column VIII]	A
				B
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	C
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	D

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
MICHIGAN Howell's Annotated Statutes 1913 s 4018 (as amended by 1915 No. 255), 4026, 4062 [For excuse from school attendance which is apparently a prerequisite for employment under 16 during school hours in any occupation, unless child has completed eighth grade, see Table 5, B–II, subdivision (2)]	A Under 16 [15 to 16] Employment [poverty] "permit"			District superintendent of schools or county commissioner of schools or deputy of either
	B Under 16 [15 to 16] "Limited vacation permit"	First Monday in September		Same as in A, above
MINNESOTA [For public exhibitions, see Table 7] General Statutes 1913 s 3840–3842, 3846	A 14 to 16 "Employment certificate"			Local superintendent of schools, or chairman of school board or board of education, or deputy of said chairman Exception: No person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee
G S 1913 s 3850	B "Any child" "Certificate" of physical fitness [May be required after entering employment]			Reputable practicing physician designated by school board
MISSISSIPPI [Lists of occupations to which provisions in A and B apply are not identical] 1908 C 99 (as amended by 1912 C 165) s 1, 3	A Boy 12 to 16 Girl 14 to 16 "Affidavit" of age and school attendance			[Document required is affidavit of parent or guardian]
1914 C 164 s 1, 3	B Boy 12 to 16 Girl 14 to 16 "Affidavit" of age and school attendance			Same as in A, above

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State factory inspectors	With employer	1. To issuing officer "immediately" 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 90 days, or both (Above penalty is incurred for violation of any provision of this act)	1. Return of certificate [Monthly report must be made to issuing officer by child or parent, etc., stating that child is employed and giving name of employer] 2. [See column VIII.]	A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
Truant officers Commissioner of labor, assistant commissioner of labor, factory inspectors, and assistants [Papers required for issuance of certificate (see Table 2, A) are subject to the inspection of the "public"]	With employer	1. To issuing officer 2. Any offense Fine of $10	1. Return of certificate 2. [See column VIII]	A
[Officials of labor department or truant officers may require certificate]				B
	With employer			A
	Same as in A, above			B

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
MISSOURI Revised Statutes 1909 v 1 s 1718–1719 (as amended by 1911 p 132), 1723–1724 (as amended by 1911 p 132), 1726d (as added by 1911 p 132)	A 14 to 16 "Employment certificate"		Form prescribed by law	Superintendent of instruction of local board of education or person authorized either by him or by district board of directors (Certificate is subject to review by factory inspector, and to cancellation if he finds it has been obtained through fraud, misrepresentation, or falsification of facts)
	B 14 to 16 "Certificate of physical fitness" [May be required after entering employment]			Regularly licensed physician
MONTANA 1913 C 76 s 1101	A Under 14 [Age of completion of public school studies to 14] "Age and schooling certificate"		Superintendent of public instruction	City or district superintendent of schools or his deputy, or clerk of board of trustees
	B 14 to 16 "Age and schooling certificate"	)	Same as in A, above	Same as in A, above
Revised Codes 1907 s 1748, 1749	C Over 16 "Age certificate"			State commissioner of labor and industry
NEBRASKA [For public exhibitions, see Table 7] [The certificates tabulated in A and B are also called "Age and schooling certificates"] Revised Statutes 1913 s 3576, 3577, 3583, 3585	A 14 to 16 (if graduate) "Employment certificate"		Form prescribed by law	Local superintendent of schools or person authorized either by him or by the school district officers Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee or in whose business he is interested

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Factory inspector, his assistants, or deputies Attendance officers Any other authorized officer	With employer	1. To child; if not claimed by him within 30 days, to issuing officer 2. Any offense Maximum — $100 or imprisonment for 1 year, or both (Each day's violation a separate offense)		A
[Factory inspector or his assistant or deputy may demand certificate]				B
Truant officers	With employer			A
Same as in A, above	Same as in A, above			B
	With State commissioner of labor and industry, to whom certificate must be sent by employer at beginning of employment	[See column VII]		C
Truant officers State commissioner of labor and his deputies Members of State board of inspection	With employer	1. To city or county superintendent of schools immediately, to be turned over to child upon demand 2. Any offense Fine of $10	1. Return of certificate 2. [See column VIII]	A

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
NEBRASKA—Continued	B 14 to 16 (if nongraduate) "Employment certificate"		Same as in A, above	Same as in A, above
R S 1913 s 3586	C Under 16 "Certificate" of physical fitness [May be required after entering employment]			Regular licensed physician selected by State board of inspection
[NEVADA For public exhibitions, see Table 7] Revised Laws 1912 s 6824 [For later law which would appear to limit this provision, in so far as it applies to children under 14, to employment outside school hours and during vacation, see Table 1, A]	A Boy under 14 Girl under 16 "Written permit" [But for minimum age of 14 for employment in any business or service during school hours, fixed by later law, see Table 1, A]			Judge of district court
NEW HAMPSHIRE 1911 C 162 s 7–8, 9–10 (as amended by 1915 C 61), 15 [For requirements of proof of age and certificate of literacy, according to earlier law, superseded in large part by the provisions tabulated in A, see also Public Statutes 1901 C 93 s 11 (as amended by 1901 C 61), 13 (as amended by 1901 C 61), 18, and also P S 1901 C 92 s 18]	A Under 16 [14 to 16] "Employment certificate"		State superintendent of public instruction	Local superintendent of schools or deputy of school board or, in city of Manchester, person appointed by local superintendent of schools with concurrence of school board Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee
	B Under 16 [14 to 16] Vacation "certificate"	3 months	Same as in A, above	Same as in A, above
[Requirement tabulated in Table 2, B, specifies no document]	C			
[Requirement tabulated in Table 2, C, specifies no document]	D			

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
[Member of State board of inspection may demand certificate]				C
				A
Truant officer or "other authorized inspector" [State superintendent of public instruction and State inspectors appointed by him and under his supervision]	With employer	1. Kept by employer and surrendered to "any authorized inspector" (see column VI) on demand 2. [No specific provision]		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. [No specific provision]		B
				C
				D

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
NEW JERSEY [For street trades, see Table 6] Compiled Statutes 1910 v 3 Labor s 18 p 3024 (as amended by 1914 C 252 s 2), s 23 p 3025 (as amended by 1914 C 252 s 5) 1911 C 136 s 1, 4 (as amended by 1914 C 253 s 1, 4) 1913 C 221 s 12 1914 C 223 s 1, 3, 9, 10, 12, 13, 17, 18 ["It shall be lawful" to issue this certificate for employment in all occupations not otherwise prohibited by law to children under 16. It is required for employment in all occupations listed in Table 2] [See also 1914 C 223 s 1, 3, 9, 10, 12, 13, 17, 18, for the "age and working certificate," tabulated in Table 6 because it appears to apply chiefly to street trades, but possibly covering other employments, which is issued by the same official as the age and schooling certificate]	A 14 to 16 "Age and schooling certificate"		[State commissioner of education] [The act in which this provision occurs is apparently superseded by later legislation except as to this particular]	Supervisor of school exemption certificates (any superintendent of schools, supervising principal, principal or teacher of any school district designated for this purpose by the district board of education) (District board of education may cancel certificate; shall cancel the same when directed to do so by the State commissioner of education. State commissioner of labor, to whom papers required for the issuance of the certificate are sent immediately after it is issued, shall notify State commissioner of education and district board of education whenever there is reason to believe that certificate was improperly issued)
	B 14 to 16 "Age and schooling certificate"			Same as in A, above
NEW MEXICO [No provisions]				

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State commissioner [of labor] or assistant and inspectors [of department of labor] Attendance officers Police officers Officers and agents of any incorporated society for the prevention of cruelty to children	With employer	1. To officer empowered to issue certificate in school district where child resides or, if child's address is unknown, to such officer in district in which employer's business is located, within 2 days 2. Any offense Maximum—$25 or imprisonment for 30 days, or both	1. Return of certificate 2. [See column VIII]	A
[State commissioner of labor, assistant commissioner, and inspectors of the department of labor Attendance officers or other persons empowered by law to compel school attendance Police officers Other person designated by law to protect children from cruelty and neglect]	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B

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TABLE 8.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
NEW YORK [For street trades, see Table 6] [For public exhibitions, see Table 7] Consolidated Laws 1909 v 3 Labor C 31: Art 6 s 70 (as amended by 1913 C 529), 71 (as amended by 1912 C 333), 75 (as amended by 1913 C 144), 76, 76-a (as added by 1913 C 200); Art 12 s 162 (as amended by 1911 C 866), 163 (as amended by 1913 C 144), 166 (as added by 1913 C 144), 167 (as amended by 1913 C 145) C L 1909 v 4 Penal C 40: Art 120 s 1275 (as amended by 1913 C 349)	A 14 to 16 "Employment certificate"		In any city of the first or second class, form approved by State industrial commission In any other city and in any town or village, form furnished by State industrial commission	Commissioner of health or executive officer of board of health, or any other officer thereof deputized by such board or commissioner
	B 14 to 16 "Employment certificate"		Same as in A, above	Same as in A, above (Certificate is subject to cancellation by State industrial commission if children employed in factories fail to submit to or stand test of examination required by State medical inspector)
C L 1910 v 8 Education C 16: Art 23 s 630 (as amended by 1913 C 101), 633 subdivision 3	C 14 to 16 "Employment certificate"		Same as in A, above	Same as in A, above
	D 14 to 16 "Employment certificate"		Same as in A, above	Same as in A, above
	E 14 to 16 "School-record certificate"			In any city of the first class, principal or chief executive of school In any city other than a city of the first class and in school districts having a population of 5,000 or more and employing a superintendent of schools, superintendent of schools In other school districts, principal teacher
	F Boy 14 to 16 (if non-graduate) "Employment certificate"		Same as in A, above	Same as in A, above

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State industrial commission (in any city of the first or second class) Board of health or health commissioner (in any other city and in any town or village) Truant officers	With employer	1. To child or to parent or guardian 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 30 days, or both 2. Third offense Minimum—$250 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both		A
State industrial commission Truant officers	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
Truant officers	Same as in A, above	1. Same as in A, above 2. Same as in A, above		C
Same as in B, above, and also, Board of health or health commissioner as specified in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		D
				E
Same as in C, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		F

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TABLE 8.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
NORTH CAROLINA Pell's Revisal of 1908 Supplement 1913 C 45A s 1981ee(3), 1981ee(4)	A Under 13 [For minimum age, see note in A-II, Table 2] Certificate of age and school attendance			[Parent or guardian furnishes the "certificate." If he willfully sets forth false statement, he is guilty of a misdemeanor]
NORTH DAKOTA Compiled Laws 1913 s 1405, 1406, 1411, 1413	A 14 to 16 "Employment certificate"			City or village superintendent of schools, or clerk of local school board or board of edution Exception: No issuing officer shall issue certificate to child then in or about to enter employment of said officer or of a firm or corporation of which he is a member, officer, or employee
OHIO [For public exhibitions, see Table 7] Page and Adams' Annotated General Code 1912 s 871-22 (as added by 1913 p 95), 871-24 (as added by 1913 p 95), 980, 6246, 7765 (as amended by 1913 p 864), 7766 (as amended by 1914 p 129), 7767 (as amended by 1913 p 864), 7770 (as amended by 1913 p 864), 7771 (as amended by 1914 p 225), 12975, 12982, 12983, 12986, 12993-12995 (as amended by 1913 p 864), 13000, 13007-7 (as added by 1913 p 864), 13007-11 (as added by 1913 p 864) [The provisions in A-IV, A-VI, A-VII, A-VIII, and A-IX may be applicable to the certificate tabulated in C, but the law is not clear as to this point]	A Boy 15 to 16 Girl 16 to 18 "Age and schooling certificate"		State superintendent of public instruction	Local superintendent of schools or his deputy, or clerk of local board of education
	B Boy 15 to 16 Girl 16 to 18 "Age and schooling certificate"		Same as in A, above	Same as in A, above
	C Boy 15 to 16 Girl 16 to 18 "Special vacation certificate"	During vacation	[See note in column I]	Local superintendent of schools or his deputy
P & A A G C 1912 s 6246, 7765 (as amended by 1913 p 864), 7766 (as amended by 1914 p 129)	D Boy under 16 [15 to 16] Girl under 18 [16 to 18] "Certificate" of physical fitness [May be required after entering employment]			Medical officer of board of health

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Factory inspectors "Other officer charged with enforcement of this act" [See Table 2, A–IX]	With employer			A
City or village superintendent of schools, or clerk of local school board or board of education Peace officers	With employer	1. To child or to parent or guardian, "forthwith" 2. Each offense Minimum—$20 Maximum—$50		A
Officers of State industrial commission Truant officers	With employer	1. To issuing officer within 2 days 2. Any offense Minimum—Fine of $25 (for officer, etc., of corporation) Maximum—Fine of $50 (for any person) (Any person convicted of a violation of any law relating to employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	1. Return of certificate 2. [See column VIII]	A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above, except that maximum penalty under "Any offense" is fine of $100	1. Return of certificate 2. [See column VIII]	B
[See note in column I]	[See note in column I]	[See note in column I]	[See note in column I]	C
[Certificate may be required by State industrial commission]				D

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
OKLAHOMA [For public exhibitions, see Table 7] Revised Laws 1910 s 3734, 3736, 3738, 3742 [The ages to which the provisions tabulated in A and B apply are: 14 to 16 in establishments mentioned by name in Table 2, A–III; 15 to 16 in injurious, etc., occupations]	A Under 16 (if literate) [See note in column I] "Age and schooling certificate"		Form prescribed by law	County superintendent of public instruction or other school officer designated by him
	B Under 16 (if illiterate) [See note in column I] "Age and schooling certificate"		Same as in A, above	Same as in A, above
R L 1910 s 3735 [The provisions tabulated in C apparently apply to all "children" but they might be interpreted to apply only to children under 16]	C [See note in column I] "Certificate of physical fitness" [May be required after entering employment]			Licensed physician in good standing
OREGON [For public exhibitions, see Table 7] Lord's Oregon Laws 1910 s 4121 (as amended by 1911 C 243), 5016, 5023 (as amended by 1911 C 138), 5027–5028 (as amended by 1911 C 138), 5030–5032 (as amended by 1911 C 138)	A 14 to 16 "Age and schooling certificate"		"As indicated in" form given in law; secretary of the State board of inspection of child labor may permit explanatory matter to be printed with certificate	Secretary of the State board of inspection of child labor or his deputy Exception: No authorized person shall issue certificate to child then in or about to enter the employment of said person or of a firm or corporation of which he is a member, officer, or employee
L O L 1910 s 4121 (as amended by 1911 C 243), 5016, 5035 (as amended by 1911 C 138)	B 12 to 14 Vacation permit	During any school vacation extending over a term of 2 weeks		State board of inspectors of child labor

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Factory inspectors Truant officers [There appears to be no provision for appointment of truant officers] "Other persons charged with the administration of this article" (State commissioner of labor)	With employer	1. To child or to parent or guardian; if not claimed by child within 30 days, to State commissioner of labor 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
[Factory or deputy inspectors may require certificate]				C
Local school authorities Police State board of inspectors of child labor	With employer	1. To child; if not claimed by him within 30 days, to secretary of State board of inspectors of child labor 2. Any offense Fine of $10		A
				B

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
PENNSYLVANIA 1915 Pamphlet Laws 286 s 3, 8, 9, 11, 17, 21, 23 [The act tabulated in A and B is in effect Jan. 1, 1916] [The certificate tabulated in A permits employment during entire year, and that in B only on such days as child is not required by law to attend school—See Table 5, A and B]	A 14 to 16 "General employment certificate" [See second note in column I]		[Forms are "supplied" by the State superintendent of public instruction]	District superintendent or supervising principal, or secretary of the board of school directors, or school official deputized by any of foregoing persons
	B 14 to 16 "Vacation employment certificate" [See second note in column I]		Same as in A, above	Same as in A, above
PHILIPPINE ISLANDS [No provisions]				
PORTO RICO [The certificates tabulated in A, B, and C are alternative] 1913 No 42 s 4 (as amended by 1913 Extraordinary Session No 139), 6 (as amended by 1913 Extraordinary Session No 139), 12, 14	A Under 14 [10 to 14] Educational "certificate"			Department of education
	B Under 14 [10 to 14] Employment [poverty] "certificate"			Alcalde of the municipality
	C Under 14 [10 to 14] Employment "certificate"			Same as in B, above
	D Under 16 "Certificate of age"			Municipal secretary of the town where child was born or resides
RHODE ISLAND [For street trades, see Table 6] [For public exhibitions, see Table 7] General Laws 1909 C 72 s 4 G L 1909 C 78 s 1 (as amended by 1915 C 1253), 3 (as amended by 1910 C 576), 12	A 14 to 16 "Age and employment certificate"		Form prescribed by law, or such substantially similar form as may be approved by the secretary of the State board of education	Local school committee or under its direction (Certificate is subject to cancellation by factory inspector, if upon investigation he finds that the certificate should not have been issued)

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
Attendance officer, factory inspector, deputy factory inspector, or other inspector or officer charged with the enforcement of this act	With employer	1. To issuing officer immediately if child so demands; otherwise within 3 days 2. Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both (Above penalty is incurred for violation of any provision of this act)	1. Return of certificate [Employer is also required by compulsory education law to notify issuing officer if child leaves his employment or is absent from such employment 5 days—1911 P L 309 s 1421; S P D Supp 1912 p 114 (as amended by 1915 P L 174)] 2. [See column VIII]	A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above	1. Same as in A, above 2. Same as in A, above	B
Officers of the department of education Inspectors of the bureau of labor	With employer	1. To child 2. First offense Minimum—$25 Maximum—$100 2. Subsequent offense Minimum—$100 Maximum—$1,000		A
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		B
Same as in A, above	Same as in A, above	1. Same as in A, above 2. Same as in A, above		C
Officers of the department of education Agents of the bureau of labor	Same as in A, above			D
Factory inspectors Truant officers	With employer	1. To child upon demand; if not claimed within 2 weeks, to issuing officer 2. Any offense Maximum—$500		A

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
SOUTH CAROLINA 1912 Criminal Code C 16 s 426	A Under 14 [12 to 14] "Permit"		[State commissioner of agriculture, commerce, and industries prescribes the forms for the sworn statements of age (see Table 2, A–IV), upon receipt of duplicate of which from employer he shall issue the "permit"]	State commissioner of agriculture, commerce, and industries
1912 Civil Code C 19 art 11 s 871 1912 Crim C C 16 s 426	B Under 14 Statement of age		State commissioner of agriculture, commerce, and industries	[Document required is a signed statement of parent or guardian]
SOUTH DAKOTA [The documents tabulated in A and B are alternative] 1912 C 240 s 2, 5	A Under 14 [See Table 1, A and D] Employment "certificate"			County superintendent of schools or his deputy
	B Under 14 Poverty "permit"			County superintendent of schools, or "chairman or president of the school board or district"
TENNESSEE 1911 C 57 s 5 [See note in column I, Table 2, A]	A 14 to 16 Sworn statement of age			[Document required is a sworn statement of parent or guardian]
[Document implied but not defined—See Table 2, B–VI]	B			
[Requirement tabulated in Table 2, C, specifies no document]	C			
TEXAS [Requirement implied in Table 2, A, specifies no document]	A			
UTAH [For street trades, see Table 6] [For public exhibitions, see Table 7] 1911 C 144 s 2	A [Over 14—See Table 2, A–III] "Employment certificate"			Local superintendent of schools or his deputy, or deputy of school board Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
[The sworn statements of age (see Table 2, A–IV) are open to the inspection of the State commissioner of agriculture, commerce, and industries, his agents and inspectors]	[The sworn statements of age (see Table 2, A–IV) are kept by employer]			A
State commissioner of agriculture, commerce, and industries, his agents and inspectors	With employer			B
				A
				B
Shop and factory inspector [Chief State inspector of workshops and factories]	With employer			A
				B
				C
				A
				A

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TABLE 3—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
UTAH—Continued Compiled Laws 1907 s 1962 [The certificates tabulated in B and C have different requirements and are alternative]	B 8 to 16 "Certificate" [For school non-attendance]			City or county superintendent of schools
	C 8 to 16 "Certificate" [For school non-attendance]			Same as in A, above
VERMONT Public Statutes 1906 C 50 s 1044 (as amended by 1912 No 75 s 10), 1045 (as amended by 1912 No 75 s 11) [See Table 5, B, for later provision permitting child whose services are necessary for support of those dependent on him to leave school at 15 if he has completed 6th grade]	A Under 16 [From age of graduation from elementary schools to 16] [See note in column I] Employment "certificate"			Town or union superintendent [of schools]
1910 No 70 s 4	B Any minor "Certificate" of age [May be required before or after entering employment]			
VIRGINIA 1908 C 301 s 3 (as amended by 1914 C 339), 6 (as amended by 1914 C 339) [The provisions tabulated in A constitute both an exemption from those tabulated in B and a permit for employment]	A 12 to 14 "Release" granted by court [See note in column I]			[Circuit or corporation court may "for good cause shown entered of record" grant release]
	B Under 16 [14 to 16—See A-II, above] "Employment certificate"			Notary public
WASHINGTON Pierce's Code 1912 title 291 s 151 [See note in column I, Table 2, C]	A 12 to 14 "Permit"	"Issued for a definite time"		Superior court judge (Permit is subject to revocation at discretion of issuing officer)
P C 1912 t 135 s 389	B Boy under 14 Girl under 16 "Permit"			Superior court judge

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
				B
				C
Town or union superintendent [of schools] Truant officers	With employer			A
[Certificate may be required by town or city grand juror, State's attorney, or attorney general]	Same as in A, above			B
				A
Inspector of factories or other authorized inspector or officer charged with enforcement of this act [State commissioner of labor]	With employer	1. To issuing officer within 2 days 2. [No specific provision]	1. Return of certificate 2. [No specific provision]	B
				A
				B

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TABLE 3.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
WASHINGTON—Continued P C 1912 t 291 s 151 [See note in column I, Table 2, A]	C Boy 14 to 19 "Permit"	Same as in A, above		Judge of juvenile court (Permit is subject to revocation at discretion of issuing officer)
P C 1912 t 413 s 839, 841	D Under 15 School exemption "certificate"	Certificate shall state the time for which excuse from school is given	Superintendent of public instruction	District or county superintendent of schools
P C 1912 t 345 s 143	E Boy 14 or over (if employer is in doubt as to age) "Certificate" of age			[Document required consists of "proof of age by certificate" from parent or guardian]
	F Boy 16 or over (if employer is in doubt as to age) "Certificate" of age			Same as in E, above
WEST VIRGINIA Hogg's Code 1913 C 15H s 530–532	A Under 16 "Employment certificate"		State superintendent of schools	Local superintendent of schools or his deputy, or deputy of local school board Exception: No authorized person shall issue certificate to child then in or about to enter employment of said person or of a firm or corporation of which he is a member, officer, or employee
	B Under 14 "Written permission"			State commissioner of labor County superintendent of schools
H C 1913 C 15H s 495 (as amended by 1915 C 10 s 86) 1915 C 10 s 33 [See note in C—I, Table 2]	C Boy 16 or over [See note in C—I, Table 2] "Affidavit" of age			[Document required is affidavit of parent or guardian]

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
				C
	With employer			D
				E
				F
Truant officers Factory inspectors Authorized agents of the humane society	With employer	1. To issuing officer 2. [No specific provision]	1. Return of certificate 2. [No specific provision]	A
				B
				C

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TABLE 8.—WORKING PAPERS

[In reading this analysis, the explanatory

State References I	Age Kind of permit II	Time limit III	Authority prescribing form IV	Authority issuing V
WISCONSIN [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes C 27 s 439ca St C 83 s 1728a.1, 1728a-6.1, 1728e.2, 1728e.3, 1728h.4 [Section 1728b.2 requires an employment "permit" issued by authority tabulated in A-V for employment of child under 16 in list of occupations identical with those in Table 2, A-III, except that "any gainful occupation or employment" and "delivery of merchandise" are omitted, and "office" is added]	A 14 to 16 Employment "permit"		State industrial commission	State industrial commission Judges of county, municipal, or juvenile court (Permit is subject to revocation by industrial commission if improperly or illegally issued or if physical or moral welfare of child would be best served by such revocation)
	B 12 to 14 Vacation "permit"	During school vacation	Same as in A, above	Same as in A, above
St C 83 s 1728a-11, 1728a-13	C Minor over 14 (if literate) "Written permit"			State industrial commission Judge of juvenile court
	D Minor over 14 (if illiterate) "Written permit"			Same as in C, above
WYOMING [No provisions]				

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REQUIRED [SEE TABLE 2]—Continued

notes on pp. 467–475 should be borne in mind]

Accessible to inspection of whom VI	Where filed VII	1. Return at termination of employment 2. Penalty for employer, etc., for failure to return VIII	1. Notification of termination of employment 2. Penalty for employer, etc., for failure to notify IX	
State industrial commission [List of occupations and establishments in which permits are open to inspection of industrial commission differs from the list of those in which permits are required by adding "office" and excluding "restaurant," "bakery," "delivery of merchandise," and "any gainful occupation or employment"] Truant officers	With employer [Note in A–VI applies here also]	1. To place designated by industrial commission within 24 hours 2. Any offense [Employer is liable in action to child for $2] (Each day's violation a separate offense) [Note in A–VI applies here also].	1. Return of certificate 2. [See column VIII] [Note in A–VI applies here also]	A
State industrial commission [List of occupations and establishments in which permit is open to inspection of industrial commission differs from list of those in which employment is allowed on vacation permit by excluding "warehouse"] Truant officers	Same as in A, above, omitting bracketed note [Note in B–VI applies here also]	1. Same as in A, above 2. Same as in A, above, omitting second bracketed note [Note in B–VI applies here also]	1. Return of certificate 2. [See column VIII]	B
State industrial commission Truant officers	Same as in A, above, omitting bracketed note			C
Same as in C, above	Same as in A, above, omitting bracketed note			D

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References	Application of act		Time of work		
	Age	Occupations or establishments *Exemptions*	Maximum hours		Days per week permitted
			Per day	Per week	
I	II	III	IV	V	VI
ALABAMA [For street trades, see Table 6] 1915 p 193 s 2, 4, 14, 17 [For earlier law fixing maximum of 8 hours for employment of child 16 to 18 if employed between 7 p. m. and 6 a. m. in mill, factory, or manufacturing establishment, see 1909 p 158 s 5]	A Under 16 [For minimum age, see Table 1, B]	Any gainful occupation *Exemptions:* Agriculture Domestic service	11	60	6
	B Under 18	In any city of 25,000 or over: Messenger for person, firm, or corporation engaged in telegraph, telephone, or messenger service, in the distribution, transmission, or delivery of goods or messages			
	C Under 18	In any city of less than 25,000: Occupations or establishments same as in B, above			
ALASKA 1913 C 29 s 2 (as amended by 1915 C 6), 3 [For regulations governing hours of labor in coal mines to be worked under lease from the United States Government, see 38 United States Statutes at Large C 330 p 40 s 12]	A Any employee	"Underground workings, underground mines, stamp mills, roller mills, open cut and open pit workings as applied to metalliferous mining" Underground placer mining Smelter Reduction works Concentrating mill Underground workings Chlorination or cyanide process Coke oven Rock quarry Coal mine Metalliferous lode mining Gypsum mine, quarry, or workings	8		
ARIZONA Revised Statutes 1913 Civil Code title 14 C 2 s 3131, 3134 [For constitutional provision fixing maximum of 8 hours per day and prohibiting night work for minors under 16, see constitution art 18 s 2]	A Boy under 16 Girl under 18	Any gainful occuation *Exemptions:* Domestic service Farm work	8	48	
R S 1913 Civ C t 14 C 2 s 3130, 3134, 3135	B Under 21	In any incorporated city or town: Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			

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OF LABOR

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	6 p. m. to 6 a. m.		1. Duty State factory inspector and his deputies 2. First offense Minimum—$10 Maximum—$100 2. Subsequent offense Minimum—$100 Maximum—$500	A
	9 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	C
		In case of emergency where life and property are in imminent danger or in case of urgent necessity "On such days as change of shift is made"	1. [No specific provision] [1913 C 72 (as amended by 1915 C 69) provides for the appointment of a Territorial mine inspector and defines his duties, but they appear to relate only to safety] 2. Any offense Minimum—$100 or imprisonment for 90 days, or both Maximum—$500 or imprisonment for 6 months, or both (Each day's violation a separate offense)	A
	7 p. m. to 7 a. m.		1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school attendance officers: Shall make complaints for offenses and prosecute violations; May inspect establishments 1. Power only Any person: May prosecute 2. Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
ARIZONA—Continued R S 1913 Penal Code pt 1 t 19 s 717, 720 [For earlier law providing 48 hours per week for women and "other persons" in laundry, see R S 1913 Pen C pt 1 t 19 s 714, 716]	C Girl of any age [Over 18—See A, above]	Mercantile establishment Confectionery store Bakery Laundry Hotel Restaurant Telephone office or exchange Telegraph office or exchange *Exemptions:* Telephone or telegraph office or exchange employing not more than 3 females Nurses	8	56	
R S 1913 Civ C t 14 C 1 s 3098–3100	D Any employee	Operating engineer, fireman, switchboard operator, or attendant of electric light or electric power plant	8		
R S 1913 Pen C pt 1 t 19 s 713	E Any employee	Underground mine Underground, open-cut, or open-pit workings Smelter Reduction or cement works Stamp, concentrating, rolling, or rod mill Chlorinating or cyanide process Coke oven Blast furnace	8		
ARKANSAS 1914 A 1 s 5, 11, 13	A Under 16	Any occupation	8	48	6
1914 A 1 s 6, 11, 13	B Under 18	Any occupation	10	54	6
1905 A 49 s 1, 2, 3 1913 A 323 s 12	C Any employee	Workingman or laborer engaged in management or operation of saw or planing mill	(1)		

[1] "10 hours shall constitute a legal day's work"

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
1 hour		Exception to hours per day but not per week: 2 additional hours permitted on 1 day per week in mercantile establishment, confectionery store, or bakery employing females only 6 days in any 1 week	1. [No specific provision] 2. Any offense Minimum—$25 or imprisonment for 30 days, or both	C
		In case of emergency where life or property is in imminent danger	1. [No specific provision] 2. Each offense Maximum—$100 (Each day's violation a separate offense)	D
		In case of emergency where life or property is in imminent danger Once in every two weeks on day when hours of employment are changed from one part of day to another	1. [No specific provision] 2. Each offense Minimum—$250 or imprisonment for 3 months, or both Maximum—$500 or imprisonment for 6 months, or both (Each day's violation a separate offense)	E
	7 p. m. to 6 a. m.		1. Duty State commissioner of labor and statistics, factory inspectors, mine inspectors, agents of humane society, probation officers, truant officers, "other authorized inspectors" 1. Power only Any person: May make and prosecute complaints 2. Any offense Minimum—$5 Maximum—$100	A
	10 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B
			1. Power only State commissioner of labor and statistics 2. Any offense Minimum—$25 Maximum—$200 (Each day's violation a separate offense) (Above penalty is incurred for exacting, or discharging because of refusal or unwillingness to perform, more hours of labor)	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
ARKANSAS—Continued 1915 A 191 s 1-3, 6, 8, 11, 12 [The provisions tabulated in D and E do not affect those given in A, above, but, since they belong to a later law, they would apparently supersede those given in B, above, in so far as they are inconsistent therewith.] [The commission specified in D-IX may establish regulations governing employment of females in hotels, restaurants, and telephone establishments, provided hours shall not exceed 9 per day]	D Girl of any age [See first note in column I]	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Employment by express company Employment by transportation company *Exemptions:* Cotton factory Preservation of fruits and perishable farm products or gathering the same Establishment where 3 or less females are employed at the same time Establishment where 3 or less employees are worked in the same building at the same time doing the same class of work	9	54	6
	E Girl under 18	Occupations or establishments same as in D, above *Exemptions:* Same as in D, above			
CALIFORNIA [For public exhibitions, see Table 7] Deering's General Laws 1909 A 1611 (as amended by 1915 C 625) s 7-8, 13, 15 D G L 1909 A 1611 s 16-17 (as added by 1915 C 625)	A Under 18	Manufacturing establishment Mechanical establishment Mercantile establishment Other place of labor	8	48	
	B Under 18	Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages			

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
45 minutes after 6 hours' work [1]		More than 9 hours per day for not more than 90 days in the year may be permitted by commission consisting of State commissioner of labor and statistics and 2 women, 1 appointed by said commissioner and 1 by the governor, in case it can be shown beyond doubt that compliance with act would "work irreparable injury to any industry engaged in handling products, such as canning factories and candy factories," provided 1½ times regular pay is given for overtime	1. Duty State commissioner of labor and statistics or his deputy 2. Any offense Minimum—$25 Maximum—$100 (Each day's violation a separate offense)	D
	9 p. m. to 7 a. m.		1. Same as in D, above 2. Same as in D, above	E
	10 p. m. to 5 a. m.	More hours allowed when necessary to make repairs to prevent interruption of ordinary running of machinery or for purpose of making a shorter day's work for 1 day of the week	1. Duty State bureau of labor statistics 1. Power only Attendance officers Probation officers 2. Each offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (The above penalty is found in D G L 1909 A 1611, as amended by 1915 C 625, s 13; the following penalty is given in section 16 of the same law) 2. Any offense Maximum—$50 or imprisonment for 60 days, or both	A
	9 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B

[1] 6½ hours without interval allowed if workday ends at 1.30 p. m.

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TABLE 2.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
CALIFORNIA— Continued 1911 C 688 s 1, 2 1915 C 484 s 1	C Under 18	Selling goods or engaging in or conducting any business [This provision appears to apply to children engaged in selling newspapers or any other articles or working as bootblacks, etc., on their own account]			
Deering's Penal Code 1909 s 651 1915 C 484 s 1	D Minor ward or apprentice	Any occupation *Exemptions:* Vinicultural or horticultural pursuit Domestic or household occupation	8		
1911 C 258 (as amended by 1913 C 352) s 1, 3, 4	E Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Public lodging house Apartment house Hospital Place of amusement Restaurant Telegraph establishment or office Telephone establishment or office Employment by express company Employment by transportation company *Exemptions:* Harvesting, curing, canning, or drying perishable fruits and vegetables Graduate nurses in hospitals	8	48	
1913 C 186 s 1, 2 1915 C 484 s 1	F Any employee	Underground mine Underground workings Smelter or other institution for the reduction or refining of ores or metals	8		
D G L 1909 A 2665 s 1-3, 5	G Any employee	Sale of drugs and medicines at retail and compounding physician's prescriptions	10	60	6
D G L 1909 A 3952 s 1-3 1915 C 484 s 1	H Any employee	Any occupation (Provision applies to both day and night work)			6

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	10 p. m. to 5 a. m.		1. Power only Commissioner of State bureau of labor statistics: Shall have power to enforce all labor laws the enforcement of which is not specifically vested in some other officer 2. Each offense Maximum—$20 or imprisonment for 10 days, or both (Above penalty is incurred by "person violating")	C
			1. Same as in C, above 2. Any offense Violation a misdemeanor	D
			1. Duty State bureau of labor statistics 2. First offense Minimum—$25 Maximum—$50 or [law not clear] Minimum—$25 or imprisonment, or both Maximum—$50 or imprisonment for 60 days, or both 2. Second offense Minimum—$100 or imprisonment, or both Maximum—$250 or imprisonment for 60 days, or both	E
		In case of emergency where life or property is in imminent danger	1. Same as in C, above 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$300 or imprisonment for 3 months, or both	F
		Emergency call	1. Duty Commissioner[s] of State bureau of labor statistics 2. Any offense Minimum—$20 or imprisonment, or both Maximum—$50 or imprisonment for 60 days, or both	G
		In case of emergency	1. Same as in C, above 2. Same as in D, above	H

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References	Application of act		Time of work		
	Age	Occupations or establishments *Exemptions*	Maximum hours		Days per week permitted
			Per day	Per week	
I	II	III	IV	V	VI
CALIFORNIA— Continued Deering's Civil Code 1909 Appendix p 827 s 1, 2 1915 C 484 s 1	I Any employee	Sawmill, shake mill, shingle mill, or logging camp			
1913 C 324 s 6, 19	J [Power of commission extends over women and minors]	[Industrial welfare commission shall have power to fix the maximum hours and standard conditions of labor consistent with the health and welfare of the women and minors engaged in any occupation, trade, or industry, provided that the hours shall not exceed the maximum fixed by law for said women and minors]			
COLORADO Mills' Annotated Statutes revised edition 1912 s 537, 657, 667, 668, 670, 672, 673 [For possible exemption by permit between 14 and 16 and during vacation between 12 and 16, see M A S re 1912 s 671] 1915 C 180 s 11	A Under 14	Any occupation	8		
	B Under 16	Any gainful occupation	8	48	
M A S re 1912 s 537 1913 Appendix p 692 s 1-3 1915 C 180 s 11	C Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Restaurant	8		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
1 hour			1. Same as in C, above 2. Each offense Minimum—$100 Maximum—$200	I
			[See column III]	J
	8 p. m. to 7 a. m.		1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in most regulated employments [For list, see M A S r e 1912 s 667] State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor, * * * employment of females, * * * mining, and all other laws protecting the life, health, and safety of employees" 2. First offense Minimum—$5 Maximum—$100 2. Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	A
	After 8 p. m.		1. Same as in A, above 2. Same as in A, above	B
			1. Duty Deputy State labor commissioner [factory inspector] State industrial commission: Has duties as specified in A, above 2. Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$500 or imprisonment for 6 months, or both (Each day's violation a separate offense)	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
COLORADO—Continued M A S r e 1912 s 537, 4472–4473 (as reenacted by 1913 C 95)	D Workingmen	Underground mine Underground workings Open-cut or open-pit workings Smelter or reduction works Stamp or concentrating mill Chlorination or cyanide process Coke oven	8		
CONNECTICUT 1909 C 20 s 1 (as amended by 1913 C 179), 2 (as amended by 1913 C 179), 3 (as amended by 1913 C 179), 4, 5	A Under 16	Manufacturing establishment Mechanical establishment	10	55	
	B Under 16	"Mercantile establishment, other than manufacturing or mechanical"		58	
	C Girl over 16	Same as in A, above	10	55	
	D Girl over 16	Same as in B, above		58	
1911 C 162 s 1–3	E Any employee	Any commercial occupation or the work of any industrial process *Exemptions:* Certain occupations and employees[1]			6
DELAWARE [For street trades, see Table 6] Revised Code 1915 C 90 s 3145, 3164–3166, 3177, 3180	A Under 16	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement-house, manufactory or workshop" Office Office building Restaurant Boarding house Bakery Barber shop Hotel Bootblack-stand establishment Public stable Garage Laundry Driver Brickyard Lumberyard Construction or repair of buildings Transmission of messages		54	6

[1] Farm service, personal service, druggist, watchman, superintendent or manager, janitor, or person engaged solely in transportation; sale or delivery of milk, food, or newspapers; such commercial or industrial processes as by their nature are required to be continuous; necessary work of inspection, repair, or care of any manufacturing or other plant or of any merchandise or stock on Sunday

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		In case of emergency where life or property is in imminent danger	1. Same as in C, above 2. Any offense Minimum—$250 or imprisonment for 90 days, or both Maximum—$500 or imprisonment for 6 months, or both (Each day's violation a separate offense)	D
	After 6 p. m.		1. Duty State commissioner of labor and factory inspection 2. Each offense Maximum—$20	A
	After 6 p. m. on more than 1 day per week, when employment is permitted until 10 p. m.	Employment until 10 p. m. permitted during Christmas week Overtime work permitted during Christmas week if 7 holidays per year with pay are granted	1. Same as in A, above 2. Same as in A, above	B
	After 10 p. m.		1. Same as in A, above 2. Same as in A, above	C
	After 10 p. m.	Overtime work permitted during Christmas week if 7 holidays per year with pay are granted	1. Same as in A, above 2. Same as in A, above	D
		In case of emergency	1. [No specific provision] 2. Each offense Maximum—$200	E
	6 p. m. to 7 a. m.		1. Duty State child labor inspector or his deputy 1. Power only Any person: May make and prosecute complaints 2. First offense Minimum—$5 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2. Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
DELAWARE—Continued	B Under 18	In any city of 20,000 or over: Messenger for telegraph, telephone, or messenger companies, in the distribution, transmission, or delivery of goods or messages			
	C "Any child"	All occupations regulated by R C 1915 C 90 s 3144–3192 [Occupations listed in A–III, and canning and packing establishments, other than those engaged in canning and packing perishable fruits and vegetables, are included. See also Table 1, C to F, and Table 6 for other occupations regulated by the foregoing sections]			
R C 1915 C 90 s 3135–3137, 3139–3142	D Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Baking establishment Printing establishment Telephone office or exchange Telegraph office or exchange *Exemptions:* Employment in the canning or preserving or preparation for canning or preserving perishable fruits and vegetables	10 [1] 8	55	
DISTRICT OF COLUMBIA [For street trades, see Table 6] Code 1911 p 441 s 1; p 442 s 6; p 443 s 7, 10 36 United States Statutes at Large p 990	A Under 14	Any occupation *Exemptions:* Employment in the service of the Senate			
C 1911 p 442 s 6; p 443 s 7, 8, 10 36 U S Stat L p 990	B Under 16 [12 to 16]	Mercantile establishment Factory Workshop Store Business office Telegraph office Telephone office Restaurant Hotel Apartment house Club Theater Bowling alley Laundry Bootblack stand	8	48	

[1] If any part of daily employment is performed between 11 p. m. and 7 a. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	10 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B
30 minutes			1. Same as in A, above 2. Same as in A, above	C
45 minutes after 6 hours' work, but 6½ hours without interval allowed if workday ends at 1.30 p. m.		Exception to hours per day but not per week: 12 hours allowed on 1 day only of each week	1. Duty State inspector appointed to enforce these provisions 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 Maximum—$200 2. Third offense Minimum—$250	D
	7 p. m. to 6 a. m.		1. Duty Child labor inspectors [2 detailed privates of police force] Truant officers: "Shall visit the establishments named" [in Code 1911 p 441 s 1, including all listed in B–III] and ascertain violations; Shall report violations to the superintendent of schools and the corporation counsel of the District of Columbia 2. Any offense Maximum—$50	A
	7 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
DISTRICT OF COLUMBIA— Continued 38 U S Stat L p 291 s 1-3, 7-9	C Girl under 18	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Restaurant Telegraph establishment or office Telephone establishment or office Employment by express company Employment by transportation company	8	48	6
	D Girl over 18	Same as in C, above	8	48	6
FLORIDA [For public exhibitions, see Table 7] Compiled Laws 1914 s 2642c, 2642l, 2642k, 2342l, 2642r, 2642t, 3728a [The provisions tabulated in A and B shall not be considered to apply to agricultural and domestic employment—See 1913 C 6488 s 24]	A 14 to 16	Mill Factory Workshop Mechanical establishment Laundry Employment on stage of theater	9	54	6
	B Under 18	Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages			
GEORGIA [For public exhibitions, see Table 7] Code 1914 Civil s 3149(d), 3149(f) C 1914 Penal s 1065	A Under 14½ [12 to 14½]	Manufacturing establishment Mill Factory Laundry Place of amusement			
C 1914 Political s 2141 C 1914 Civ s 3149(l) C 1914 Pen s 759(b), 1065	B Under 16	Delivery of messages or general work of messenger service			

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
Where 3 or more girls are employed, 45 minutes after 6 hours' work, but 6½ hours without interval allowed if work-day ends at 1.30 p. m.	6 p. m. to 7 a. m.		1. Duty Inspectors appointed for this purpose by Commissioners of the District of Columbia 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 Maximum—$200 2. Third offense Maximum—$250	C
Same as in C, above			1. Same as in C, above 2. Same as in C, above	D
	8 p. m. to 5 a. m.		1. Duty State labor inspector Grand juries: Shall be charged by county and circuit judges, at beginning of each term of court, to investigate violations 1. Power only Grand juries and county solicitors of criminal courts of record: "Have inquisitorial powers to investigate violations" Judicial or police officers of county or city: May inspect "factories, workshops, mines, and mercantile establishments" and shall report violations Any person: May make complaint 2. Any offense Maximum—$50	A
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B
	7 p. m. to 6 a. m.		1. Duty State commissioner of [commerce and] labor and his authorized assistants 2. Any offense Maximum—$1,000, or imprisonment for 6 months, or work in chain gang for 12 months—any one or more of these punishments	A
	9 p. m. to 6 a. m.		1. Duty State commissioner of commerce and labor: Has duties as specified in C, below 2. Same as in A, above	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act		Time of work		
	Age II	Occupations or establishments *Exemptions* III	Maximum hours Per day IV	Maximum hours Per week V	Days per week permitted VI
GEORGIA—Continued C 1914 Pol s 2141 C 1914 Civ s 3137–3141 [The provisions tabulated in C and D are superseded in so far as they refer to children under 14½ by those given in A, above]	C Any employee [See note in column I]	Cotton or woolen manufacturing establishment *Exemptions:* In any such establishment, engineer, fireman, watchman, mechanic, teamster, yard employee, member of clerical force, or any help that may be needed to clean up and make necessary repairs or changes in or of machinery		60	
	D Under 21 [See note in column I]	Manufacturing establishment or machine shop other than cotton or woolen manufacturing establishment	"From sunrise until sunset"		
HAWAII Revised Laws 1915 s 4197, 4198	A Girl under 16	Manufacturing establishment Mercantile institution Office Laundry Canning establishment Sugar mill Workshop Restaurant Hotel Apartment house Distribution or transmission of merchandise Distribution or transmission of messages			
IDAHO 1911 C 159 s 166, 170, 173 1913 C 77 s 7	A Under 14	Any occupation			

[1] See provision in column IV, which might be construed to constitute a night work prohibition

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		Time (not to exceed 10 days) lost on account of accident or other unavoidable circumstance may be made up	1. Duty State commissioner of commerce and labor: "Shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, especially those concerning the employment of child labor, and of women, and he shall take legal steps looking to the proper enforcement and due observance of such laws" 1. Power only Any person with whom contract for longer time for labor is made, or who has knowledge of such a contract: May institute suit 2. Each offense Minimum—$20 Maximum—$500 (Above penalty is incurred for making or enforcing contract for longer time for labor)	C
"Usual and customary time"	(1)		1. Duty State commissioner of commerce and labor: Has duties as specified in C, above 2. [No specific provision]	D
	9 p. m. to 6 a. m.		1. [No specific provision] 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both	A
	9 p. m. to 6 a. m.		1. Duty State board of education (in cooperation with other departments of the State government) Probation officers or school trustees [or truant officers]: Shall visit "places of employment mentioned" [in 1911 C 159 s 166, 172] and ascertain violations therein, "and they shall bring complaint for offenses under this act to the attention of the prosecuting attorney for prosecution" 2. Any offense Maximum—$50	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References	Application of act		Time of work		
	Age	Occupations or establishments *Exemptions*	Maximum hours		Days per week permitted
			Per day	Per week	
I	II	III	IV	V	VI
IDAHO—Continued 1911 C 159 s 169, 173 1913 C 77 s 7	B Under 16	Any gainful occupation	9	54	
Revised Codes 1908 (Political) title 8 s 1463, 1464 (as amended by 1909 p 4), 1465 1913 C 77 s 7	C Workingmen	Underground mine Underground workings Smelter, ore-reduction works, stamp mill, concentrator, or other place where metalliferous ores are being treated, refined, and reduced for the purpose of obtaining the metals thereof	8		
1913 C 77 s 7 1913 C 86 s 1, 3	D Girl of any age	Mechanical establishment Mercantile establishment Laundry Hotel Restaurant Telegraph establishment Telephone establishment Office Employment by express company Employment by transportation company *Exemptions:* Harvesting, packing, curing, canning, or drying perishable fruits or vegetables	9		
ILLINOIS [For public exhibitions, see Table 7] Hurd's Revised Statutes 1913 C 48 s 20, 20h, 20i, 20m [For 48 hours in gainful occupations, see provisions in B, below]	A Under 14	Any occupation	8		
H R S 1913 C 48 s 20h, 20i, 20l, 20m	B Under 16	Any gainful occupation	8	48	

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	9 p. m. to 6 a. m.		1. Same as in A, above 2. [No specific provision, but see penalty in A, above, which would apply to employment of children under 14 at night]	B
		In case of emergency where life or property is in imminent danger	1. Duty State board of education (in cooperation with other departments of the State government): "Shall see to it that the rules relating to * * * health, * * * child labor and child conservation are enforced" [R C s 201 provides for an inspector of mines, but his duties relate only to safety and the gathering of statistics] 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$300 or imprisonment for 6 months, or both	C
			1. Same as in C, above, excluding bracketed note 2. Each offense Minimum—$10 Maximum—$100	D
	6 p. m. to 7 a. m.		1. Duty State factory inspector, and his assistants and deputies under his supervision Local school board or school authorities: Must report to State factory inspector complaints made to them of violations in most regulated employments [For list, see H R S 1913 C 48 s 20h] 2. Each offense Minimum—$5 Maximum—$100	A
	7 p. m. to 7 a. m.		1. Same as in A, above 2. Same as in A, above	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
ILLINOIS—Continued H R S 1913 C 48 s 121–123	C Girl of any age [Over 16—See provisions in B, above]	Mechanical establishment Mercantile establishment Factory Laundry Hotel Restaurant Telegraph establishment or office thereof Telephone establishment or office thereof Place of amusement Employment by express, transportation, or public utility business or common carrier Public institution	10		
INDIANA Burns' Annotated Statutes 1914 s 8022b, 8022c, 8022f, 8042	A Under 16	Any gainful occupation *Exemptions:* Farm work Domestic service	[1] 8 [2] 9	[1] 48 [2] 54	
B A S 1914 s 8021, 8023, 8031, 8038, 8042, 8044, 8045 [The provisions tabulated in B are apparently superseded in regard to children under 16 by the later provisions given in A, above] [It may be that the penalty for "first offense" given in B–X does not include imprisonment as stated, but the law is not clear]	B Boy under 16 Girl under 18 [See note in column I]	Manufacturing establishment Mercantile establishment Laundry Renovating works Bakery Printing office	10	60	
	C Girl of any age	Employment in any capacity for the purpose of manufacturing			
	D Any employee	Same as in B, above			

[1] Without written consent of parent or guardian
[2] With written consent of parent or guardian

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
			1. Duty State department of factory inspection 2. Each offense Minimum—$25 Maximum—$100	C
	6 p. m. to 7 a. m.		1. Duty State industrial board 2. First offense Minimum—$5 or $5 and imprisonment Maximum—$200 or $200 and imprisonment for 10 days 2. Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days [It may be that the penalty for "subsequent offense" would include also a fine of from $5 to $200, but the law is not clear]	A
[See provisions in D, below]	[See provisions in C, below]	More hours allowed to make shorter working-day on last day of week, but hours must not exceed average of 10 per day for total working-days per week	1. Duty State industrial board 1. Power only Any person: May make complaint 2. First offense Maximum—$50 or $50 and imprisonment for 10 days [See last note in column I] 2. Second offense Maximum—$100 or $100 and imprisonment for 10 days 2. Third offense Minimum—$250 and imprisonment Maximum—Fine and imprisonment for 30 days	B
	10 p. m. to 6 a. m.		1. Same as in B, above 2. Same as in B, above, including bracketed note	C
1 hour [3]			1. Same as in B, above 2. Same as in B, above, including bracketed note	D

[3] In special cases, for good cause shown, State industrial board may issue permit allowing shorter time

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
IOWA [For street trades, see Table 6] [For public exhibitions, see Table 7] Code 1879 Supplement 1913 s 2477–e, 2477–f C 1897 Supplemental Supplement 1915 s 2473, 2477–a, 2477–c	A Under 16 [14 to 16]	Manufacturing establishment Mine Factory Mill Shop Laundry Slaughterhouse or packing house Store or mercantile establishment where more than 8 persons are employed Operating freight or passenger elevator Livery stable Garage Place of amusement Distribution or transmission of merchandise Distribution or transmission of messages	8	48	
	B Under 18	In any city of 10,000 or over: Transmission, distribution, or delivery of goods or messages			
KANSAS [For public exhibitions, see Table 7] General Statutes 1909 s 5094, 5095, 5097, 5098, 8017, 8020 1913 C 217 s 3 [Industrial welfare commission may fix standard hours of labor for women and minors—1915 C 275 s 3, 17]	A Under 16 [14 is the minimum age for employment in most of these occupations — See Table 1, A]	Factory Workshop Theater Packing house Operating elevator Mine Distribution or transmission of messages Distribution or transmission of merchandise ["Any business or service whatever" may be included, but law is not clear] *Exemptions:* Factory or workshop owned or operated by parent	8	48	
KENTUCKY [For street trades, see Table 6] [For public exhibitions, see Table 7] Statutes 1915 s 33a.2, 331a.7, 331a.8, 331a.16, 2978c.7	A Under 16	Mercantile establishment Factory Mill Workshop Store Office Printing establishment Bakery Laundry Restaurant Hotel Apartment house Theater Motion-picture establishment Distribution or transmission of merchandise Distribution or transmission of messages	8	48	6

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
30 minutes after 5 hours' work	6 p. m. to 7 a. m.		1. Duty Commissioner of State bureau of labor statistics 1. Power only Deputies of commissioner of State bureau of labor statistics (including factory inspectors), State mine inspectors, county attorneys, mayors, chiefs of police and their deputies, city and town marshals, sheriffs and their deputies, or any person authorized by judge of court of record: May inspect establishments Any person: May make complaint 2. Any offense Maximum—$100 or imprisonment for 30 days	A
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B
	6 p. m. to 7 a. m.		1. Duty State commissioner of labor and industry: Shall "cause to be enforced all laws regulating the employment of children, minors and women" 2. Any offense Minimum—$25 or imprisonment for 30 days Maximum—$100 or imprisonment for 90 days	A
	6 p. m. to 7 a. m.		1. Duty State labor inspectors, under the direction of the commissioner of agriculture, labor, and statistics: Shall inspect specified establishments [For list, see St 1915 s 33a.2]; Shall report to State and county attorney any violations occurring Truant officers: May inspect establishments named in A-III; Shall report violations to superintendent of schools, State labor inspector, or other authorized officer 2. First offense Minimum—$15 Maximum—$50 2. Second offense Minimum—$15 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both 2. Subsequent offense Minimum—$200 or imprisonment for 30 days, or both	A

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TABLE 4.—HOURS

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State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
KENTUCKY—Continued St 1915 s 33a. 2, 331a. 8, 331a.11, 331a.16, 2978c. 7	B Under 21	In any city of the first, second, or third class: Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages			
St 1915 s 33a.2, s 4866b. 1, 4866b.7	C Girl under 21	Any gainful occupation *Exemptions:* Domestic service Nursing	10	60	
St 1915 s 33a. 2, 4866b. 2, 4866b.7	D Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Bakery Factory Workshop Store Hotel Restaurant Telephone exchange Telegraph office	10	60	
LOUISIANA [For public exhibitions, see Table 7] [For maximum hours 8 per day for stationary fireman in certain establishments, see 1912 A 245 s 1, 3-5] Wolff's Revised Laws Supplement 1908-1904 v 3 p 412;	A Boy under 16 Girl under 18	Any occupation			

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	9 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above (Above penalty applies only to violations in regard to children under 16)	B
			1. Same as in D, below 2. Same as in D, below	C
			1. Duty State labor inspectors, under the direction of the commissioner of agriculture, labor, and statistics: Has duties as specified in A, above 2. First offense Minimum—$25 Maximum—$50 2. Subsequent offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 90 days, or both	D
	7 p. m. to 6 a. m.	Stores and mercantile establishments on Saturday nights or during 20 days before Christmas	1. Duty State commissioner of labor and assistant commissioners Parish, city, or town factory inspectors (including New Orleans factory inspector) Supervisor of minerals: Shall enforce provisions of law pertaining to mining 2. Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 6 months, or both	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
LOUISIANA— Continued 1908 A 155 s 2–3 (as amended by 1914 A 186) W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 (as amended by 1914 A 133 s 2), 3–5, 23 (as amended by 1912 A 61) 1910 A 254 s 2 [For earlier law requiring 30 minutes mealtime for employees in all retail occupations where girls are employed, see W R L 1904 v 1 p 992; 1900 A 55 s 2]	B Boy under 18 Girl of any age	Manufacturing establishment Mercantile establishment Mill Factory Mine Packing house Workshop Laundry Millinery store Dressmaking store Hotel Restaurant Theater Concert hall Place of amusement where intoxicating liquors are made or sold Bowling alley Boot-blacking establishment Operating freight or passenger elevator Transmission or distribution of messages, whether telegraph, telephone, or any other messages Transmission or distribution of merchandise "Any other occupation whatsoever"	10	60	
W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2–3 (as amended by 1914 A 186) W R L Supp 1904–1908 v 3 p 426; 1904 A 195 s 1, 2	C Any employee	In any city of more than 50,000: Clerk in retail business or retail department store or retail establishment			
W R L 1904 v 1 p 992; 1900 A 55 s 2, 3 W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 2–3 (as amended by 1914 A 186)	D Any employee	Retail business where female labor or female clerks are employed			
MAINE Revised Statutes 1903 C 40 s 48 (as amended by 1911 C 55), 49 (as amended by 1911 C 143), 50 1911 C 65 s 2, 11 [Female past minority is subject to provisions tabulated in A unless on voluntary contract for extra compensation, additional hours not to exceed 6 in 1 week or 60 in 1 year]	A Boy under 16 [14 to 16] Girl under 18 [14 to 18]	Manufacturing establishment Mechanical establishment *Exemptions:* Manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay or damage	10	58	

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
1 hour; 30 minutes on request of two-thirds of employees		Same as in A, above	1. Same as in A, above 2. Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 6 months, or both	B
1 hour			1. Duty State commissioner of labor and assistant commissioners 2. Any offense Minimum—$25 Maximum—$100	C
30 minutes			1. Same as in C, above 2. Same as in C, above	D
		Exception to hours per day but not per week: Overtime allowed to make repairs to prevent interruption of ordinary running of machinery, or to make a shorter day's work for 1 day of week Time lost on previous day of same week on account of stopping of machinery may be made up by person losing same	1. Duty State commissioner of labor [and industry] 2. Each offense Minimum—$25 Maximum—$50	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MAINE—Continued [The provisions tabulated in A to C, inclusive, are inconsistent with those of the later law given in D to G, inclusive, and would be superceded by the latter provisions, but the latter act is now suspended in accordance with the constitution by reason of the referendum, its acceptance or rejection to be determined by a vote of the people[1]]	B Boy minor over 16 [16 to 21]	Establishments same as in A, above *Exemptions:* Same as in A, above	10		
	C Girl minor over 18 [18 to 21]	Establishments same as in A, above *Exemptions:* Same as in A, above	10	58	
1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4) 1911 C 65 s 2, 11 1915 C 350 s 1, 2, 3, 4, 7, 8 [The law tabulated in D to G, inclusive, has been suspended in accordance with the constitution by reason of the referendum, petitions requesting the same having been duly filed. Its acceptance or rejection will be determined by a vote of the people.[1] If accepted it will supersede the provisions tabulated in A, B, and C	D Boy under 16 Girl of any age	Manufacturing establishment Mechanical establishment Factory Workshop Laundry *Exemptions:* Manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto	9	54	
	E Under 16	Occupations or establishments same as in D, above *Exemptions:* Same as in D, above			

[1] On Oct. 1, 1915, no vote had been taken

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		More hours permitted for extra compensation on voluntary contract made with consent of parent or guardian Exception to hours per day but not per week: Same as in A, above, except that it is not certain from the reading of the law whether or not the first exception applies here	1. Same as in A, above 2. Same as in A, above	B
		Without special contract, exception to hours per day same as in A, above More hours, not to exceed 6 in 1 week or 60 in 1 year, permitted for extra compensation, on voluntary contract made with consent of parent or guardian	1. Same as in A, above 2. Same as in A, above	C
		More hours allowed to make shorter workday on 1 day of week Other exceptions same as in E below	1. Duty. State commissioner of labor [and industry] Agents for the protection of children, sheriffs, deputy sheriffs, police officers, and constables: Shall enforce any act concerning the protection of children 2. First offense Minimum—$25 Maximum—$50 2. Second offense Minimum—$50 Maximum—$200 2. Subsequent offense Minimum—$250 Maximum—$500	D
	6 p. m. to 6.30 a. m.	In case of emergency where there is danger to property, life, public safety, or public health, and in case of extraordinary public requirement, provisions do not apply to employers engaged in public service	1. Same as in D, above 2. Same as in D, above	E

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MAINE—Continued	F Boy under 16 Girl of any age	Mercantile establishment Store Restaurant Telephone exchange where 3 or more operators are employed Telegraph office Employment by express company Employment by transportation company *Exemptions:* Same as in D, above		54	
	G Girl of any age	Occupations or establishments same as in D and F, above, where 3 or more females are employed *Exemptions:* Same as in D, above			
MARYLAND [For street trades, see Table 6] Annotated Code 1911 v 3 (1914) art 27 s 239–241	A Under 16	Manufacturing business Factory Mercantile business in Baltimore	10		
A C 1911 v 1 (1911) art 23 s 375, 377; art 77 s 166	B Under 16	Calling for or delivering messages for telegraph, telephone, or messenger company			
A C 1911 v 3 (1914) art 77 s 166; art 100 s 24, 34, 37, 38, 48	C Under 18	In any city of 20,000 or over: Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages			

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OF LABOR—Continued.

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		More hours allowed between December 17th and 24th, and during the 8 days previous to Easter in millinery shops or stores Other exceptions same as in E, above	1. Same as in D, above 2. Same as in D, above	F
1 hour after 6 hours' work[1]			1. Same as in D, above 2. Same as in D, above	G
			1. Duty State bureau of statistics and information 2. Any offense Minimum—$100	A
	8 p. m. to 8 a. m.		1. Power only Attendance officers: "May visit all establishments where minors are employed * * * and ascertain whether any minors are employed therein contrary to law" [This provision is found in the compulsory education law and is apparently limited to certain counties—See Table 5, note in column I] 2. Each offense Minimum—$100 or imprisonment for 60 days, or both Maximum—$500 or imprisonment for 60 days, or both	B
	10 p. m. to 6 a. m.		1. Duty Chief of State bureau of statistics and information Inspectors of factories, attendance officers, and other authorized officers 1. Power only Any person: May make and prosecute complaints 2. First offense Maximum—$50 2. Second offense Maximum—$200 or imprisonment for 30 days, or both	C

[1] 6½ hours without interval allowed if workday ends at 1.30 p. m.

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MARYLAND—Continued A C 1911 v 3 (1914) art 100 s 51, 53–55	D Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Printing establishment Baking establishment Laundering establishment *Exemptions:* Employment in the canning or preserving or preparing for canning or preserving of perishable fruits and vegetables	10 [1] 8	60	
A C 1911 v 2 (1911) art 100 s 1–3 A C 1911 v 3 (1914) art 77 s 166	E Boy under 21 Girl of any age	Employment with corporation or manufacturing company incorporated under laws of Maryland, engaged in manufacturing cotton or woolen yarns, fabrics, or domestics	10		
Public Local Laws 1888 art 1 s 194, 195, 196–197 (as reenacted by 1902 C 124), 200 (as reenacted by 1902 C 124), 209q subsection F (as added by 1902 C 124)	F Workingmen	Mine in Allegany or Garrett County where 10 or more persons are employed in any 24-hour period	10		

[1] If any part of work is done before 6 a. m. or after 10 p. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
Where 3 or more females are employed, ½ hour after 6 hours' work, but 6½ hours without interval allowed if employee is not permitted to work remainder of day		In Allegany County, 12 hours a day permitted for 6 weeks, "to meet the exigencies of exceptional seasonable demands," in establishments in which the working-day for entire year averages not more than 9 hours and the entire force is employed on full time for the entire year, and in which for 4 months immediately preceding there has been a working-day of less than 9 hours	1. Duty Female inspector and assistants: Shall inspect establishments and cause act to be enforced therein; Shall report violations to State's attorney and grand jury 2. First offense Maximum—$100 2. Subsequent offense Maximum—$1,000 or imprisonment for 1 year, or both	D
			1. Same as in B, above, including bracketed note [For enforcement which would be applicable in so far as these establishments are covered by those listed in A–III, see A–X, above] 2. Each offense Minimum—$100	E
		More hours allowed for extra compensation, on contract	1. Duty Mine inspector: Shall inspect in order "to see that all the provisions of this act are * * * carried out;" Shall report violations to county grand jury, who shall summon mine inspector before it at each term of court County courts: Shall call the enforcement section to the attention of the grand jury at each term of court 2. Any offense Maximum—$50 [See also P L L 1888 art 1 s 209p (as added by 1902 C 124 and amended by 1904 C 243) for general penalty apparently applicable]	F

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act		Time of work		
	Age II	Occupations or establishments *Exemptions* III	Maximum hours Per day IV	Maximum hours Per week V	Days per week permitted VI
MASSACHUSETTS	A Under 14	Any occupation			
[For street trades, see Table 6] [For public exhibitions, see Table 7] Revised Laws 1902 C 108 s 8 (as amended by 1907 C 413) 1909 C 514 s 17 (as amended by 1912 C 191), 48 (as amended by 1915 C 57), 49, 51, 56 (as amended by 1913 C 831 s 1), 62 (as amended by 1913 C 779 s 20), 68-71 1912 C 726 s 5, 11 1913 C 831 s 8-10, 17, 18, 20 [The provisions tabulated in D are partially superseded by the later law given in C; those in E are apparently superseded by the same law except as to women over 21; those in F apparently apply only to boys 18 to 21, since hours of boys under 18 and girls under 21 are further restricted by the provisions in C]	B Under 16	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop Barber shop Bootblack stand or establishment Public stable Garage Brickyard Lumberyard Telephone exchange Telegraph office Messenger office Construction or repair of buildings Contract or wage-earning industry carried on in tenement or other houses	8	48	6
	C Boy under 18 Girl under 21	Same as in B, above	10	54	6
	D Boy under 18 Girl of any age [See note in column I]	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop Telegraph office Telephone exchange Employment by express company Employment by transportation company *Exemptions:* Manufacturing establishments where employment is by seasons are allowed to extend hours to 58 per week, averaging not more than 54 per week for year, excluding Sundays and holidays	10	54	
	E Boy under 18 Girl of any age [See note in column I]	"In any capacity for the purpose of manufacturing"			

[1] Cases of extraordinary emergency [danger to property, life, public safety, or public health] or extraordinary public requirement

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	6 p. m. to 6.30 a. m.		1. Same as in B, below 2. Same as in B, below	A
	6 p. m. to 6.30 a. m.		1. Duty Inspectors of State board of labor and industries 2. First offense Minimum—$10 or imprisonment, or both Maximum—$50 or imprisonment for 30 days, or both 2. Subsequent offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (Any offense—After notification by enforcing officer, each day's violation a separate offense)	B
	10 p. m. to 5 a. m. (6 p. m. to 5 a. m. in manufacture of textiles)	In case of extraordinary emergency or extraordinary public requirement, provisions as to hours do not apply to minors over 18 in occupations furnishing public service	1. Same as in B, above 2. Same as in B, above	C
		In certain cases[1] more hours allowed in occupations furnishing public service or in other business where State board of labor and industries decides that public necessity or convenience requires employment by shifts Time (not less than 30 consecutive minutes) lost by stopping of machinery on previous working-day of same week may be made up [See also *Exemptions* in column III]	1. Same as in B, above 2. Any offense Minimum—$50 Maximum—$100	D
	Same as in C, above		1. Same as in B, above 2. Each offense Minimum—$20 Maximum—$50	E

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MASSACHUSETTS—Continued	F Under 21 [See note in column I]	Messenger for telegraph, telephone, or messenger company in distribution, transmission, or delivery of goods or messages *Exemptions:* Delivery to a newspaper office of messages directly connected with business of conducting or publishing a newspaper			
	G Boy under 18 Girl of any age	Factory or workshop where 5 or more women or children 14 to 18 are employed *Exemptions:* Iron works, glass works, paper mill, letterpress establishment, print works, bleaching works, dye works; any other factory or workshop where State board of labor and industries with the approval of the governor decides that exemption is necessary on account of continuous processes or special circumstances, and not injurious to health of women or children employed			
R L 1902 C 108 s 8 (as amended by 1907 C 413) 1909 C 514 s 17 (as amended by 1912 C 191) 1912 C 726 s 5, 11 1913 C 619 s 1, 2, 5, 6	H Any employee	Manufacturing establishment Mercantile establishment (These terms shall not be held to include any hotel, restaurant, drug store, livery stable, or garage, or the manufacture or distribution of gas, electricity, milk, or water) *Exemptions:* Certain employees [2]			[3]
MICHIGAN Howell's Annotated Statutes 1913 s 4017 (as amended by 1915 No 255), 4026, 4029, 4062	A Boy under 18 Girl of any age	Place where the manufacture of any kind of goods is carried on or where goods are prepared for manufacturing Mercantile establishment Factory Mill Warehouse Workshop Clothing establishment Dressmaking establishment Millinery establishment Laundry Store Shop Office Restaurant *Exemptions:* Preserving perishable goods in fruit or vegetable canning establishment	10	54	

[1] 6½ hours without interval allowed if workday ends at 1 p. m.; 7½, if opportunity for lunch is allowed during employment and workday ends at 2 p. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	10 p. m. to 5 a. m.	In case of extraordinary emergency or extraordinary public requirement, provisions do not apply to minors over 18 in occupations furnishing public service	1. Same as in B, above 2. Same as in B, above	F
30 minutes after 6 hours' work[1]			1. Same as in B, above 2. Same as in D, above	G
			1. Same as in B, above 2. Each offense Fine of $50	H
			1. Duty State factory inspectors 1. Power only Any citizen: May make complaint 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 90 days, or both	A

[1] Janitors, watchmen; employees engaged in preparation, printing, publication, sale, or delivery of newspapers, or whose Sunday work includes only setting sponges in bakeries, caring for live animals, maintaining fires, caring for machinery, or labor entailed by emergency that could not reasonably have been anticipated.

[2] 24 consecutive hours' rest per week required.

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act		Time of work		
	Age II	Occupations or establishments *Exemptions* III	Maximum hours Per day IV	Maximum hours Per week V	Days per week permitted VI
MICHIGAN—Continued	B Under 16	Manufacturing establishment Workshop Mine Messenger service *Exemptions:* Same as in A, above			
	C Under 18	Transmission, distribution, or delivery of messages or merchandise			
	D Girl under 18	Manufacturing establishment *Exemptions:* Same as in A, above			
MINNESOTA General Statutes 1913 s 3819, 3845–3847	A Under 16	Any gainful occupation	8	48	
G S 1913 s 3819, 3831, 8482	B Any employee [Over 16—See A, above]	[Any occupation] *Exemptions:* Farm laborers Domestic servants employed by week or month Persons engaged in care of live stock	(1)		
G S 1913 s 3819, 8682	C Under 18 (actually or apparently)	Labor of any kind "outside the family of his residence"			
G S 1913 s 3819, 3847, 3849, 8482	D Boy under 18	Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			

[1] Standard day's work for hire shall be 10 hours, unless a shorter time be agreed upon

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
	6 p. m. to 6 a. m.		1. Same as in A, above [1911 A 163 and 1913 A 177 provide for the appointment of mine inspectors, but their duties apparently relate only to safety] 2. Same as in A, above	B
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	C
	6 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	D
	7 p. m. to 7 a. m.		1. Duty State department of labor and industries 1. Power only Truant officers: May inspect establishments and shall report violations to school authorities and to State commissioner of labor 2. Any offense Minimum—$25 Maximum—$50	A
		Extra hours for extra pay permitted in case of persons over 14 [But see bracketed note in column II]	1. Duty State department of labor and industries 2. Any offense (for violation in regard to children under 14) Maximum—$100 or imprisonment for 3 months	B
	6 p. m. to 7 a. m.		1. Same as in B, above 2. Any offense Minimum—$50 or imprisonment for 30 days, or both [See G S 1913 s 8482 for maximum penalty for misdemeanor, which might be applicable]	C
	9 p. m. to 5 a. m.		1. Same as in A, above 2. Any offense Maximum—$100 or imprisonment for 3 months	D

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MINNESOTA—Continued G S 1913 s 3819, 3851, 3852, 3856, 8482 [The absence of a comma after the word "week" in line 7 of section 3851 makes the limitation to cities of the first or second class appear to apply only to telegraph and telephone establishments, as tabulated in G, but the law in its entirety, as tabulated in E, F, and G, was intended to apply only to such cities, and is not enforced elsewhere]	E Girl of any age	[See note in column I] Manufacturing establishment Mechanical establishment *Exemptions:* Employment required in the canning or preserving of perishable fruits, grains, or vegetables where the period of operating an establishment requiring such employment does not exceed 6 weeks	9	54	
	F Girl of any age	[See note in column I] Mercantile establishment Restaurant, lunch room, or eating house, or kitchen operated in connection therewith	10	58	
	G Girl of any age	In any city of the first or second class: Telegraph establishment Telephone establishment	9	54	
MISSISSIPPI [For public exhibitions, see Table 7] 1908 C 99 (as amended by 1912 C 165) s 1, 2, 6, 8 1914 C 163 s 3, 4 1914 C 164 s 9 [1912 C 165 s 9, amending 1908 C 99, which exempted fruit canneries from the provisions tabulated in A, was repealed by 1914 C 163 s 8]	A Boy under 16 [12 to 16] Girl under 18 [14 to 18]	Manufacturing establishment Mill Factory Cannery [See note in column I] *Exemptions:* [1914 C 164 repeals these provisions in so far as they relate to "cotton mills and knitting mills" and enacts for such establishments the provisions tabulated in B and C, below]	8	48	
1914 C 163 s 3, 4 1914 C 164 s 1, 2, 4, 6, 8, 9	B Boy under 14 [12 to 14] Girl under 16 [14 to 16]	Cotton mill Knitting mill	8	48	

[1] Additional lunch period of 20 minutes required for employees working more than 1 hour after 6 p. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
1 hour,[1] unless State commissioner of labor permits a shorter time		Exception to hours per day but not per week: Time (not less than 30 consecutive minutes) lost on previous day of same week, in consequence of stopping of machinery upon which employee was employed or dependent, may be made up Reapportionment of hours to make shorter day's work on one day of week permitted	1. Same as in B, above 2. Same as in D, above	E
Same as in E, above		Exception to hours per day but not per week: 11 hours on Saturdays permitted in retail mercantile establishments Other exceptions same as in E, above	1. Same as in B, above 2. Same as in D, above	F
Same as in E, above		Same as in E, above	1. Same as in B, above 2. Same as in D, above	G
	7 p. m. to 6 a. m.		1. Duty State factory inspector Circuit judge: Shall specially charge grand jury to investigate violations 2. Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both (Above penalty applies specifically to employment only in "mill, factory or manufacturing establishment") [1912 C 165 s 9, amending 1908 C 99, which so defined the application of the act as to make the penalties apply to employment in all the establishments listed in column III, was repealed by 1914 C 163 s 8]	A
	7 p. m. to 6 a. m.		1. Duty Same as in A, above, and also, County sheriff 2. Same as in A, above, excluding parenthetical and bracketed notes	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MISSISSIPPI—Continued 1914 C 163 s 3, 4 1914 C 164 s 2, 4, 6, 8, 9	C Any employee not included in B, above [Boy over 14] [Girl over 16]	Same as in B, above	10	60	
1914 C 163 s 3, 4 1914 C 165 s 1-3 (This provision shall not be construed to conflict with 1912 C 165—See A, above]	D Girl of any age [Over 18 in such of these employments as are included in A-III]	Mercantile establishment Laundry Millinery [establishment] Dressmaking [establishment] Store Office Theater Telegraph office Telephone office Any other occupation not enumerated above *Exemptions:* Domestic servant	10	60	
1912 C 157 s 1 (as amended by 1914 C 169) [For further amendment to 1912 C 157, approved on same date as above amendment, exempting certain processes if only men are employed, see 1912 C 157 s 1 (as amended by 1914 C 168 s 1)] 1912 C 157 s 2 (as amended by 1914 C 168) 1914 C 163 s 3, 4	E Any employee [This provision is applicable only to such employees as are not covered by provisions tabulated in A, B, C, and D]	Manufacturing [establishment] Repairing [establishment]	10	(1)	
MISSOURI [For public exhibitions, see Table 7] Revised Statutes 1909 v 1 s 1716 (as amended by 1911 p 132), 1726 (as added by 1911 p 132) R S 1909 v 2 s 7824, 7825	A Under 16	Any gainful occupation	8	48	

[1] "60 hours shall constitute a full week's work"

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
			1. Same as in B, above, except that duties of factory inspector relate only to establishments where women and children are employed 2. Any offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 60 days, or both (Above penalty is incurred for illegal employment of "child")	C
		In case of emergency or where public necessity requires	1. Duty State factory inspector 2. Each offense Minimum—$10 or imprisonment for 5 days, or both Maximum—$50 or imprisonment for 30 days, or both (Each day's violation a separate offense)	D
		In case of emergency or "where the public necessity requires in such departments" 20 minutes overtime per day allowed for 5 days to make shorter day's work on last day of week	1. Duty State factory inspector: "Shall enforce the laws of the State in factories and other establishments where women and children are employed" 2. Each offense Minimum—$10 Maximum—$50 (Each day's violation a separate offense)	E
	7 p. m. to 7 a. m.		1. Duty State factory inspector: In cities of 10,000 or over "shall enforce all laws relating to the inspection" of factories, warehouses, freight depots, machine shops, laundries, tenement workshops, bakeshops, hotels, restaurants, bowling alleys, theaters, concert halls or places of public amusement, and other manufacturing, mechanical, and mercantile establishments and workshops 2. Any offense Maximum—$100 or imprisonment for 1 year, or both (Each day's violation a separate offense)	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MISSOURI—Continued R S 1909 v 2 s 7815 (as reenacted by 1913 p 400), 7816 (as reenacted by 1911 p 311), 7816a (as added by 1913 p 401)	B Girl of any age	Manual or physical work, or stenographic or clerical work in the following establishments or places: Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop Laundry Bakery Restaurant Place of amusement Employment by any of the following: Express or transportation or public utility business Common carrier Public institution *Exemptions:* Telegraph company Telephone company "Canning or packing plants in rural communities, or in cities of less than 10,000 inhabitants wherein perishable farm products are canned, or packed, shall be exempt" for 90 days a year	9	54	
R S 1909 v 2 s 8437, 8438	C Any employee	Mining for minerals, coal, or any valuable substance, or making underground excavations while searching for same	8		
R S 1909 v 2 s 7813, 7814, 7814a (as added by 1913 p 399), 7814b (as added by 1913 p 400), 7824, 7825	D Any employee	Mining, mechanical, chemical, manufacturing, or smelting business in mills or plants while engaged in crushing rocks and mine products, smelting, etc. Silica mining, plate-glass manufacturing, or smelting business in mines, mills, factories, or plants	8		
R S 1909 v 2 s 7862, 7868, 7869	E Any employee	Biscuit, bread, pastry, or cake bakery or confectionery establishment			6
	F Under 16	Bakeshop or confectionery shop [But see provisions in A, above]			
MONTANA Revised Codes 1907 s 1660, 1669 1913 C 108 s 1, 3	A Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Telephone exchange room Office Telegraph office Laundry Hotel Restaurant	9		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
			1. Duty Department of factory inspection 2. Each offense Minimum—$25 Maximum—$100	B
			1. [No specific provision] 2. Any offense Minimum—$25 Maximum—$500	C
			1. Same as in A, above 2. Same as in C, above	D
			1. Same as in A, above 2. Any offense Minimum—$10 or imprisonment for 1 month, or both Maximum—$100 or imprisonment, or both	E
	9 p. m. to 5 a. m.		1. Same as in E, above 2. Same as in E, above	F
		10 hours per day allowed for 1 week before Christmas Overtime allowed for extra compensation where life or property is in imminent danger	1. Duty State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 2. Each offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 60 days, or both	A

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
MONTANA—Continued R C 1907 s 1660, 1669 1909 C 75 s 1, 2	B Any employee	In any city or town of 3,000 or over: Telephone operator on any line of public telephone	9		
Constitution art 18 s 4, 5 R C 1907 s 1660, 1669, 1736 (as amended by 1911 C 21), 1737, 1738 1911 C 120 s 5 [For similar law making 8 hours a legal day's work in any mine or institution for the treatment of ores and coal, see R C 1907 s 1739, 1740]	C Workingmen	Underground mine or underground workings, including railroad or other tunnel Smelter, stamp mill, sampling works, concentrator, or any other institution for the reduction of ores and refining of ores or metals	8		
NEBRASKA [For public exhibitions, see Table 7] Revised Statutes 1913 s 3584, 3585	A Under 16	Manufacturing establishment Mercantile institution Factory Workshop Theater Concert hall Place of amusement Store Office Hotel Laundry Packing house Bowling alley Passenger or freight elevator Beet field Messenger for any of above Driver for any of above	8	48	
R S 1913 s 3564 (as amended by 1915 C 71), 3567	B Girl of any age [Over 16 in such of these employments as are included in A-III]	In metropolitan cities, in cities of the first class having more than 40,000 and less than 100,000 inhabitants, in cities of the first class having less than 40,000 and more than 25,000 inhabitants, in cities of the first class having more than 5,000 and less than 25,000 inhabitants: Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Restaurant Office Employment by public service corporation	9	54	

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		Overtime allowed "for the purpose of relieving another employee in case of sickness or other unforeseen cause"	1. Same as in A, above 2. Any offense Minimum—$100 Maximum—$500 (Each day's violation a separate offense)	B
		In case of emergency where life or property is in imminent danger	1. Duty State coal mine inspector: As to coal mines [State mine inspector must inspect mines, but his duties apparently relate only to safety—See R C 1907 s 1713, 1720] State bureau of child and animal protection: Has duties and powers as specified in A, above 2. Each offense Minimum—$100 or imprisonment for 1 month, or both Maximum—$500 or imprisonment for 6 months, or both	C
	8 p. m. to 6 a. m.		1. Duty State deputy commissioner of labor Truant officers 1. Power only Any person: May cause enforcement 2. Each offense Maximum—$50	A
	10 p. m. to 6 a. m.	Employment by public service corporation permitted between 10 p. m. and 6 a. m.	1. Duty State deputy commissioner of labor 2. Each offense Minimum—$20 Maximum—$50	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NEVADA 1913 C 232 s 7–9 1915 C 203 s 4, 8, 9, 13	A Boy under 16 Girl under 18	Any gainful occupation *Exemptions:* Domestic service "Work on a farm"	8	48	
	B Under 18	In any incorporated city or town: Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			
Revised Laws 1912 s 6559, 6560 1915 C 203 s 4, 8, 9, 13	C Any employee	Mill or other institution wherein plaster or cement is manufactured	8		
R L 1912 s 1941, 1942 1915 C 203 s 4, 8, 9, 13	D Any employee	Employment on or about the surface or surface workings of underground mine workings	8		
R L 1912 s 6554–6558 1915 C 203 s 4, 8, 9, 13	E Workingmen	Underground mine Underground workings Smelter or other institution for the reduction or refining of ores or metals Open-pit or open-cut mine	8		
NEW HAMPSHIRE [For public exhibitions, see Table 7] Public Statutes 1901 C 93 s 15 (as amended by 1901 C 61) 1911 C 162 s 5, 6 (as amended by 1913 C 224 s 2), 16, 17, 20 1911 C 198 s 2	A Under 16	Any gainful occupation *Exemptions:* Domestic service "Work on a farm" [See also A–IX]	11	58	
	B Girl 16 to 18	Occupations same as in A, above *Exemptions:* Same as in A, above, excluding bracketed note [See also B–VIII]	11	58	
	C Under 18	Messenger for telegraph, telephone, or messenger company, in the distribution, transmission, or delivery of goods or messages			

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
			1. Duty State labor commissioner 2. Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B
		In case of emergency where life is in imminent danger or product is liable to loss or damage by delay in treatment	1. Same as in A, above 2. Any offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 6 months, or both	C
		In case of emergency where life or property is in imminent danger	1. Same as in A, above 2. Same as in C, above	D
		Same as in D, above	1. Same as in D, above 2. Same as in C, above	E
	7 p. m. to 6.30 a. m.	Boy over 12 may "deliver newspaper routes" between 4 p. m. and 8 p. m.; boy over 14 after 5 a. m.	1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers State superintendent of public instruction and State inspectors appointed by him and under his supervision 2. Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
	7 p. m. to 6.30 a. m. (10 p. m. to 6.30 a. m. in retail store or telephone exchange)		1. Same as in A, above 2. Same as in A, above	B
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NEW HAMPSHIRE—Continued P S 1901 C 92 s 18 P S 1901 C 93 s 15 (as amended by 1901 C 61) 1911 C 198 s 2 1913 C 156 s 1 (as amended by 1915 C 164 s 1), 4 1915 C 164 s 2	D Boy under 18 Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Restaurant Confectionery store Employment by express company Employment by transportation company	10½ [1] 8	55 [1] 48	
NEW JERSEY [For street trades, see Table 6] [For provision prohibiting night work 7 p. m. to 6 a. m. to children in open-air employments on "age and working certificates," tabulated in Table 6 because it appears to apply chiefly to street trades, but possibly covering other employments, see 1914 C 223 s 13, 17, 18] Compiled Statutes 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 252 s 1), s 24 p 3025 (as amended by 1914 C 252 s 6), s 60 p 3034 (as amended by 1912 C 117), s 61 p 3035 1914 C 236 s 3 1911 C 136 s 2, 3, 6 (as amended by 1914 C 253 s 2, 3, 6), 15	A Under 16	Factory Workshop Mill Place where the manufacture of goods of any kind is carried on [See C S 1910 v 3 Labor s 16 p 3023 (as amended by 1914 C 60) and (as amended by 1914 C 236 s 2) for provisions which may make these regulations apply also to: Newspaper plant Printery Place where printing is carried on Commercial laundry Mine Quarry]	8	48	6
	B Under 16	Mercantile establishment (Term shall be "construed to apply to any employment of labor other than a factory, workshop, mill or other place where the manufacture of goods of any kind is carried on") [It is not clear whether this definition includes newspaper plants, printeries, places where printing is carried on, commercial laundries, mines, and quarries, or whether the latter are embraced in A, above]	8	48	6

[1] If employed at night work, i. e., if any part of employment on more than 2 days per week is between 8 p. m. and 6 a. m. of the following day. This provision applies only to females

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
1 hour; one and one-fourth hours in mercantile establishments [1]		Provisions do not apply to mercantile establishments for 7 days next preceding Christmas, but total hours for regular employees shall not exceed 55 per week for full year Time lost through accident in manufacturing establishments may be made up, provided hours of actual labor do not exceed ten and one-fourth in 1 day	1. Duty State labor commissioner: Has duties as specified in A, above Truant officers: As to employment under 16 in manufacturing, mechanical, and mercantile establishments, if required by district school board; in other establishments, as to employment under 16 during school hours 1. Power only State superintendent of public instruction or his deputy: As to employment of minors 2. Any offense Minimum—$50 Maximum—$100	D
[See provisions in D, below]	7 p. m. to 7 a. m.		1. Duty State commissioner of labor (with supervision and control over assistant and inspectors) 2. Any offense Maximum—$50 or imprisonment for 90 days, or both 2. Habitual violation Maximum—$1,000 or imprisonment for 3 years, or both (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	A
[See provisions in D, below]	7 p. m. to 7 a. m.		1. Duty State commissioner of labor, assistant commissioner, and inspectors of department of labor Attendance officers or other persons empowered to compel school attendance Police officers Other person designated by law to protect children from cruelty and neglect 1. Power only Officer or agent for incorporated society for the protection of children from cruelty and neglect 2. Same as in A, above	B

[1] This provision applies only to females. An additional lunch period of one and one-fourth hours is required for females working after 8 p. m. in mercantile establishments.

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NEW JERSEY—Continued C S 1910 v 3 Labor s 75–78, pp 3038, 3039 "55 hours shall constitute a week's work" in these establishments, but specific prohibition of employment for longer hours applies only to persons specified in column II] [See later law tabulated in E, below]	C Boy under 18 Girl of any age [Over 16—See later law tabulated in A, above]	Establishment where the manufacture of any goods is carried on (manufacturing establishment) Factory Workshop *Exemptions:* Preserving perishable goods in fruit-canning establishment Factory engaged in the manufacture of glass	[1]10	55	
1911 C 273 s 1, 4	D Any employee	Same as in A, above, including bracketed note			
1912 C 216 s 1, 2, 4, 6–10	E Girl of any age [Over 16 in such of these establishments as are covered by those listed in A, above]	Manufacturing establishment (any place where articles for use or consumption are regularly made) Mercantile establishment (any place where goods, wares, or merchandise are offered for sale) Bakery (all buildings, rooms, or places where biscuits, pies, bread, crackers, cakes, and confectionery are made or manufactured for sale) [See also provisions in F and G, below] Laundry Restaurant (any place where refreshments, both food and drink, and where meals are served to the public) *Exemptions:* Cannery engaged in packing a perishable product such as fruits or vegetables	10	60	

[1] Only 5 hours permitted on Saturday

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
	6 p. m. to 7 a. m.		1. Duty State inspector of factories: "Shall investigate" violations reported to him or discovered by him 2. Each offense Fine of $100 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	C
30 minutes after 6 hours' work		Provision applies to every workday except Saturday	1. [No specific provision] 2. First offense Fine of $100 2. Subsequent offense Fine of $200 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	D
	[See provisions in C, above]	Mercantile establishment for the 6 working-days next preceding Christmas	1. Duty State commissioner of labor, assistant commissioner, or inspectors [of department of labor]: Shall investigate and inspect establishments 2. First offense Minimum—$25 Maximum—$50 2. Subsequent offense Minimum—$50 Maximum—$200 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	E

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NEW JERSEY—Continued 1912 C 127 s 6, 7, 10, 14, 15 [These provisions do not affect but are "held in addition" to provisions of C S 1910 v 3 Labor s 16 to 60—See provisions in A, above]	F Any employee [Over 16, if these establishments are covered by those listed in A, above—See note in column I]	Place where biscuits, pies, bread, crackers, cakes, macaroni, and other foodstuffs, confectionery, candy, ice cream, or frozen sweets are manufactured or made for the purpose of sale	10	[1] 60	
	G Under 16	Same as in F, above			
1911 C 363 s 1-3	H Under 21 (in cities of the first class) Under 18 (in other municipalities)	Messenger for telegraph, telephone, or messenger company, etc., engaged in the distribution, transmission, or delivery of goods or messages or in the performance of other service			
NEW MEXICO [No provisions]					
NEW YORK [For street trades, see Table 6] Consolidated Laws 1909 v 3 Labor C 31: Art 1 s 2 (as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650); Art 3-a s 51-52 (as added by 1913 C 145); Art 4 s 56 (as amended by 1913 C 145), 59 (as amended by 1913 C 145); Art 6 s 77-78 (as amended by 1912 C 539 and by 1913 C 465), 89, 92, 93-b (as added by 1913 C 83);	A Under 16	In any village or city of 3,000 or over: Mercantile establishment Business office Telegraph office Restaurant Hotel Apartment house Theater Place of amusement Bowling alley Barber shop Shoe-polishing establishment Distribution or transmission of merchandise or articles Distribution or transmission of messages Distribution of articles Sale of articles	8	48	6

[1] Not more hours in 1 week permitted than will make an average of 10 hours per day for whole number of days worked

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		In case of emergency, 2 hours' overtime per day permitted with extra compensation at usual rate of pay Reapportionment of hours allowed to make shorter workday on last day of week	1. Duty State commissioner of labor 1. Power only Employee of place covered by act, or officer or representative of any labor union in county: May cause inspection by making written complaint to State commissioner of labor 2. First offense Fine of $50 2. Subsequent offense Fine of $100 2. Violation continued after conviction Fine of $100 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	F
	7 p. m. to 7 a. m.		1. Same as in F, above 2. Same as in F, above	G
	10 p. m. to 5 a. m.	State commissioner of labor may grant permits under extraordinary circumstances for the delivery of telegrams or telephone messages between 10 p. m. and 5 a. m.	1. Duty State commissioner of labor and authorized deputies 2. Each offense Fine of $100 (Any repetition of a violation a separate offense)	H
45 minutes[1]	6 p. m. to 8 a. m.	State industrial commission may permit shorter time for noonday meal	1. Duty State industrial commission: Has duty of enforcement in cities of the first or second class; May investigate and make regulations for carrying law into effect Board of health or health commissioners: In cities other than those of the first or second class, and in towns and villages 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 30 days, or both 2. Third offense Minimum—$250 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	A

[1] Additional lunch period of 20 minutes required for employees working more than 1 hour after 6 p. m.

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NEW YORK— Continued Consolidated Laws 1909 v 3 Labor C 31—Continued: Art 8 s 111 (as amended by 1913 C 463); Art 12 s 160, 161 (as amended by 1914 C 331 and by 1915 C 386), 161-a (as added by 1910 C 342) C L 1909 v 4 Penal C 40: Art 120 s 1275 (as amended by 1913 C 349) [For provision fixing maximum hours 11 per day, 70 per week, except that 15 hours may be permitted on last day of week, and requiring that 1 hour be allowed for each meal, for boys over 16 employed in grocery stores in cities of the first class, under maximum penalty of fine of $500 or imprisonment for 1 year, or both, see C L 1909 v 4 Public Health s 236-a as added by 1915 C 343]	B Under 16	Factory (Term includes bakery or laundry other than home laundry where work is done for family trade)	8		6
	C Boy 16 to 18	Occupations or establishments same as in B, above *Exemptions:* Canning or preserving perishable products in fruit and canning establishments between June 15 and Oct. 15	9	54	6
	D Girl 16 to 18	Same as in B, above	9	54	6
	E Girl 18 to 21	Occupations or establishments same as in B, above *Exemptions:* Same as in C, above	9	54	6
	F Girl over 18	Canning or preserving perishable products in fruit and canning establishments between June 15 and Oct. 15	10	60	6
	G Girl over 21	Occupations or establishments same as in B, above *Exemptions:* Same as in C, above	9	54	6
	H Girl over 21	Same as in B, above			
	I Any employee	Same as in B, above			
	J Girl over 16	In any village or city of 3,000 or over: Mercantile establishment	9	54	6
	K Under 21	In any city of the first or second class: Messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			

[1] Additional lunch period of 20 minutes required for employees working more than 1 hour after 6 p. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	5 p. m. to 8 a. m.		1. Duty State industrial commission 2. Same as in A, above	B
	12 midnight to 4 a. m.	1 additional hour permitted on 5 days of week in order to make a shorter day or holiday on 1 of the 6 working-days; or irregularly on 3 days per week	1. Same as in B, above 2. Same as in A, above	C
	9 p. m. to 6 a. m.	Same as in C, above	1. Same as in B, above 2. Same as in A, above	D
	9 p. m. to 6 a. m.	Same as in C, above	1. Same as in B, above 2. Same as in A, above	E
		State industrial commission may permit 12-hour day and 66-hour week between June 25 and Aug. 5 if said commission finds that such employment is required by the needs of the industry and can be permitted without serious injury to the health of women employed	1. Same as in B, above 2. Same as in A, above	F
		Same as in C, above	1. Same as in B, above 2. Same as in A, above	G
	10 p. m. to 6 a. m.		1. Same as in B, above 2. Same as in A, above	H
60 minutes[1]		Same as in A, above	1. Same as in B, above 2. Same as in A, above	I
	10 p. m. to 7 a. m.	Employment between Dec. 18 and Dec. 25 or for 2 days at any time during year for purpose of stock taking More hours permitted in order to make a shorter workday on 1 or more days of week	1. Same as in A, above 2. Same as in A, above	J
	10 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	K

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act		Time of work		
	Age II	Occupations or establishments *Exemptions* III	Maximum hours		Days per week permitted VI
			Per day IV	Per week V	
NEW YORK— Continued C L 1909 v 4 Public Health C 45: Art 11 s 236 (as amended by 1914 C 514), 240 subdivision 9 (as amended by 1910 C 422, by 1911 C 630, and by 1915 C 502) C L 1909 v 4 Penal C 40: Art 174 s 1937	L Any employee	Apprentice or employee in pharmacy or drug store		70	(1)
C L 1909 v 3 Labor C 31: Art 2 s 5, 21; Art 3-a s 51-52 (as added by 1913 C 145) C L 1909 v 4 Penal C 40: Art 120 s 1271	M Any employee	Making brick in brickyard owned or operated by corporation	(2)		
C L 1909 v 4 Penal C 40: Art 120 s 1271	N Any employee	Employment by person or corporation contracting with the State or with a municipal corporation	8		
C L 1909 v 3 Labor C 31: Art 1 s 2 (as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650); Art 2 s 8-a (as added by 1913 C 740 and amended by 1914 C 388 and 396, and by 1915 C 321, 357, and 648), 21; Art 3-a s 51-52 (as added by 1913 C 145); Art 6 s 92; Art 8 s 111 (as amended by 1913 C 463) C L 1909 v 4 Penal C 40: Art 120 s 1275 (as amended by 1913 C 349)	O Any employee	Factory (Term includes bakery or laundry other than home laundry where work is done for family trade) Mercantile establishment *Exemptions:* Certain employees[4]			(3)

[1] 1 afternoon and evening off in each week; in addition, 1 full day off in 2 consecutive weeks
[2] 10 hours a legal day's work, or 8 hours if contract is with a State or municipal corporation
[3] Work before 7 a. m. shall not be required

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty: Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		6 hours' overtime permitted for purpose of making shorter succeeding week; but aggregate in any such 2 weeks shall not exceed 132 hours	1. [No specific provision] 2. Any offense Maximum—$500 or imprisonment for 1 year, or both	L
	(2)	Overtime and work before 7 a. m. permitted for extra compensation by agreement between employer and employee	1. Duty State industrial commissioner 2. Each offense Minimum—$500 Maximum—$1,000 (If offender is a person contracting with the State or with a municipal corporation, contract shall be revoked [3]	M
			1. [No specific provision] 2. Each offense Minimum—$500 Maximum—$1,000 (In addition, contract shall be forfeited at the option of the municipal corporation)	N
		State industrial commission, if practical difficulties or unnecessary hardships result from carrying out provisions, may make variations from requirements provided spirit of the act is observed and substantial justice done	1. Same as in M, above 2. Same as in A, above	O

[4] Janitor; watchman; employee whose duties include not more than 3 hours' work on Sunday in (1) setting sponges in bakeries, (2) caring for live animals, (3) maintaining fires, (4) necessary repairs to boilers or machinery; superintendent or foreman in charge; any employee engaged in industrial or manufacturing process necessarily continuous, in which no employee is permitted to work more than 8 hours a day except during period of shift rotation made not oftener than once each week; any employee in dairy, creamery, milk condensary, milk-powder factory, milk-sugar factory, milk-shipping station, butter and cheese factory, and milk-bottling plant; ice-cream manufacturing plant where not more than 7 persons are employed

[5] 24 hours' rest required in every 7 consecutive days

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TABLE 4.—HOURS

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State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
NORTH CAROLINA Pell's Revisal of 1908 Supplement 1913 C 45A s 1981ee(2), 1981ee(4), 1981ee(5) [For earlier law, perhaps superseded by the provisions tabulated in A, prohibiting night work 8 p. m. to 5 a. m. for child under 14, see P R 1908 C 45A s 1981(e) and P R 1908 C 45A s 1981d and C 81 following s 3362–3364 (as reenacted by 1915 C 148 s 3)]	A Under 16	Manufacturing establishment Mill Factory			
P R 1908 Supp 1913 C 45A s 1981c (as reenacted by 1915 C 148 s 3) P R 1908 C 45A s 1981d and C 81 following s 3362–3364 (as reenacted by 1915 C 148 s 3)	B Any minor Girl of any age	Factory Manufacturing establishment *Exemptions:* In any such establishment, engineer, fireman, machinist, superintendent, overseer, section hand, yard hand, office man, watchman, or repairer of breakdowns		60	
NORTH DAKOTA Compiled Laws 1913 s 1410, 1411, 1413 [For law penalizing employer for permitting child under 14 to work more than 10 hours per day in manufactory or workshop, etc., see C L 1913 s 10246. But see also Table 1, A, for minimum age of 14 in factory or workshop]	A Under 16	Any gainful occupation	8	48	
C L 1913 s 10246 [The provision tabulated in B prohibits only "compelling" more hours of labor]	B Boy under 18 Girl of any age [See note in column I]	Manufactory Workshop Other place used for mechanical or manufacturing purposes	10		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	9 p. m. to 6 a. m.		1. Duty County superintendent of public schools: Must investigate violations and report same to the solicitor of the judicial district in which they occurred 2. Any offense Violation a misdemeanor [See P R 1908 C 81 s 3293]	A
			1. [No specific provision] 2. Any offense Violation a misdemeanor punishable at the discretion of the court [See P R 1908 C 81 s 3293] [See note in column I]	B
	7 p. m. to 7 a. m.		1. Duty Peace officers: May inspect mines, factories, workshops, and mercantile establishments; Shall report cases of illegal employment therein to school board or board of education; May make complaint 1. Power only Any person: May make complaint 2. Each offense Minimum—$20 Maximum—$50	A
			1. [No specific provision] 2. Any offense Minimum—$10 Maximum—$100 [See note in column I]	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
OHIO [For public exhibitions, see Table 7] Page and Adams' Annotated General Code 1912 s 871–24 (as added by 1913 p 95), 12993 (as amended by 1913 p 864), 12996 (as amended by 1913 p 864), 12996–1 (as amended by 1913 p 864), 13007–7 (as added by 1913 p 864), 13007–9 (as added by 1913 p 864) [For provisions which originally prescribed ½ hour mealtime after 5 hours' work for boy under 15 and girl under 16 in many employments, but which as printed in the 1913 law apparently have no definite application, see P & A A G C 1912 s 12997]	A Boy under 16 [15 to 16] Girl under 18 [16 to 18]	Mechanical establishment Mercantile establishment Mill Factory Workshop "Tenement house, manufactory or workshop" Store Office Office building Restaurant Boarding house Bakery Barber shop Hotel Apartment house Bootblack stand or establishment Public stable Garage Laundry Place of amusement Club Driver Brick or lumber yard Construction or repair of buildings Distribution, transmission, or sale of merchandise Transmission of messages	8	48	6
	B Boy under 18 [16 to 18] Girl under 21 [18 to 21]	Same as in A, above	10	54	6
	C Boy under 18	Messenger in connection with telephone, telegraph, or messenger office or company			
P & A A G C 1912 s 871–24 (as added by 1913 p 95), 1008 (as amended by 1913 p 555), 1011, 7771 (as amended by 1914 p 225), 12986 [For maximum of 6 days per week and regulation of night work for girls under 21, with a different penalty, in certain similar establishments, see provision in B, above, which occurs in law approved same date as that tabulated in D and E]	D Girl over 18	Factory Workshop Telephone office Telegraph office Millinery establishment Dressmaking establishment Restaurant Distribution or transmission of messages Mercantile establishment (located in any city) *Exemptions:* Cannery or establishment engaged in preparing for use perishable goods	10	54	
	E Girl of any age	Factory Workshop Business office Telephone office Telegraph office Restaurant Bakery Millinery establishment Dressmaking establishment Mercantile establishment Other establishments *Exemptions:* Same as in D, above			

[1] In establishments where lunch rooms are provided

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
[See note in column I]	6 p. m. to 7 a. m.		1. Duty Factory inspectors [State industrial commission] Truant officers Other officers charged with enforcement of laws relating to employment of minors 1. Power only Any person: May prosecute violations 2. First offense Minimum—$5 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2. Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	A
[See note in column I]	10 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B
[See note in column I]	9 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	C
[See provisions in E, below]			1. Duty State industrial commission Truant officers 2. Any offense Minimum—$25 Maximum—$200 (Any person convicted of a violation of any law relating to employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	D
30 minutes [1] 1 hour [2]			1. Same as in D, above 2. Same as in D, above	E

[2] In establishments where it is impracticable to provide lunch rooms

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
OHIO—Continued P & A A G C 1912 s 871–21 (as added by 1913 p 95)	F [Power of commission extends over all employees]	[State industrial commission may regulate hours of labor of employees in every employment and place of employment "with regard to the health and welfare of * * * employees to such extent as the nature of the employment will reasonably permit, not inconsistent with law"]			
OKLAHOMA [For public exhibitions, see Table 7] Revised Laws 1910 s 3728, 3732, 3733, 3742, 3745	A Under 16	Any gainful occupation *Exemptions:* Agriculture Domestic service	8	48	
	B Boy under 16 Girl under 18	Factory Factory-workshop Theater Bowling alley Pool hall Steam laundry Any occupation [not prohibited by law to boys under 16 or girls under 18; see Table 1, C to E] which is injurious to health or morals or especially hazardous to life or limb—See Table 1, B			
Constitution art 23 s 4 R L 1910 s 3951, 3952, 4005, 4014	C Any employee	Underground in any mine	[1] 8		
R L 1910 s 3703 (as amended by 1911 C 128 s 1) 1915 C 148 s 1, 2, 4	D Girl of any age	The following, in cities of 5,000 or over: Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Bakery Hotel Restaraunt Office building Warehouse Telephone establishment Office Printing establishment Bookbindery Theater Showhouse Place of amusement *Exemptions:* Registered pharmacist Nurse Stenograher	9		

[1] "8 hours shall constitute a day's work"

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
			[See column III]	F
1 hour			1. Duty State commissioner of labor 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both	A
	6 p. m. to 7 a. m.		1. Same as in A, above 2. Same as in A, above	B
		In case of emergency	1. Duty District mine inspectors, under supervision and control of State mine inspector 2. Any offense Maximum—$500 or imprisonment for 6 months, or both (Above penalty is incurred for "neglect, failure or refusal to perform any of the duties required by" the chapter which includes this provision)	C
		In time of great disaster, calamity, or epidemic, telephone establishments may work operators, with their consent, for more hours, provided double pay is given for overtime In case of emergency in hotels or restaurants, 10 hours allowed with employee's consent provided double pay is given for overtime	1. Duty State commissioner of labor: Shall carry into effect all laws in relation to labor, in regard to transportation, mechanical, and manufacturing industries 2. Any offense Minimum—$50 or imprisonment for 5 days, or both Maximum—$200 or imprisonment for 30 days, or both	D

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act		Time of work		
	Age II	Occupations or establishments *Exemptions* III	Maximum hours Per day IV	Per week V	Days per week permitted VI
OREGON Lord's Oregon Laws 1910 s 4121 (as amended by 1911 C 243), 5016, 5026 (as amended by 1911 C 138), 5032–5033 (as amended by 1911 C 138), 5036a (as amended by 1911 C 138) [See F, below, and footnote, for rulings of industrial welfare commission which affect these regulations]	A Under 16 [See note in column I]	Any occupation	10		6
	B Under 18	Messenger for telegraph or messenger company or anyone engaged in such a business in the distribution, transmission, or delivery of goods or messages			
L O L 1910 s 5016, 5037, 5039 [See F, below, and footnote, for rulings of industrial welfare commission which affect these regulations]	C Girl of any age [Over 16—See provisions in A, above] [See note in column I]	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Restaurant Telegraph establishment or office Telephone establishment or office Employment by express company Employment by transportation company	10	60	
L O L 1910 s 5016 1913 C 102 s 1–3	D Any employee [For regulations governing child under 16, and female in manufacturing and mechanical establishments, see provisions in A and C, above]	Manufacturing establishment Mill Factory *Exemptions:* Watchman	10		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
30 minutes	6 p. m. to 7 a. m.		1. Duty State commissioner of labor statistics and inspector of factories and workshops: Has duties as specified in C, below Truant officers (in counties of less than 100,000): Shall see that the child labor law is enforced State board of inspectors of child labor or deputy of said board: May inspect factories, workshops, and mercantile establishments; Shall report violations therein to school authorities and to district attorney 2. First offense Minimum—$10 Maximum—$25 2. Second offense Minimum—$25 Maximum—$50 2. Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days	A
	10 p.m. to 5 a.m.		1. Same as in A, above 2. Same as in A, above	B
			1. Duty State commissioner of labor statistics and inspector of factories and workshops: Shall cause the enforcement of all laws regulating the employment of children, minors, and women; all laws established for the protection of the health, lives, and limbs of operatives in factories, mills, and other places; and all laws enacted for the protection of the working classes 2. Each offense Minimum—$25 Maximum—$100	C
		In case of employee engaged in making necessary repairs In case of emergency where life or property is in imminent danger 3 hours per day additional permitted if overtime is paid for at the rate of time and one-half the regular wage	1. Same as in C, above 2. Any offense Minimum—$50 Maximum—$500 (Each day's violation a separate offense)	D

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
OREGON—Continued L O L 1910 s 5058, 5059	E Any employee	Underground mine yielding gold, silver, copper, lead, or other metal *Exemptions:* Mine in first stages of development, such as tunnel work to a length of 200 feet, or shaft work to a depth of 150 feet Any surface excavation	8		
1913 C 62 s 1–20	F [Power of commission extends over minors under 18 and women]	[Industrial welfare commission may fix standard hours and conditions of labor, but no order of the commission shall permit employment for more hours than the maximum now fixed by law or at any times or under any conditions now prohibited by law] [1]			
PENNSYLVANIA [For street trades, see Table 6] 1915 Pamphlet Laws 286 s 1, 4, 6, 17, 23, 24 [The act tabulated in A and B is in effect Jan. 1, 1916]	A Under 16 [14 to 16]	Any establishment (Any place where work is done for compensation of any kind, to whomever payable) Any occupation *Exemptions:* Farm work Domestic service in private homes	9	51	
	B Under 21	Messenger for telephone, telegraph, or messenger company in the distribution, collection, transmission, or delivery of goods or messages			
1907 P L 112 s 1	C Under 18	Bakehouse [See provisions in D, below]			

[1] The commission has made the following regulations: For girl under 18 in any manufacturing or mercantile establishment, millinery, dressmaking, or hairdressing shop, laundry, hotel, or restaurant, telephone or telegraph establishment or office, maximum hours 8½ per day, 50 per week, and work prohibited after 6 p. m.; for women [over 18] in any industry, maximum hours 54 per week, and in mercantile, manufacturing, or laundry establishment their work is prohibited after 8.30 p. m., telephone or telegraph companies, confectionery establishments, restaurants, and hotels being exempted from this hour of dismissal. The following regulations apply to the employment of women workers [over 18] in the city of Portland: Manufacturing establishments, maximum hours 8 per day, 54 per week, and ½ hour mealtime required; in mercantile establishments, maximum hours 8½ per day, 50 per week, and work prohibited after 6 p. m.; in any office or at office work if employee is "experienced," maximum hours 51 per week. Exception: The employment of adult women [over 18] in fruit and vegetable canning and packing establishments is permitted (with extra pay) for not more than 10 hours per day or 60 hours per week for 6 weeks between May 1 and Dec. 1

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
		In case of emergency where life or property is in imminent danger	1. Same as in C, above 2. Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$300 or imprisonment for 3 months, or both	E
			[See column III]	F
	8 p. m. to 6 a. m.		1. Duty State commissioner of labor and industry Attendance officers Police officers 2. Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both	A
	8 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	B
	9 p. m. to 5 a. m.		1. [No specific provision] 2. [No specific provision]	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
PENNSYLVANIA—Continued 1901 P L 68 s 1, 11; Stewart's Purdon's Digest 1903 v 1 p 397	D Any minor Girl of any age	Biscuit, bread, pie, or cake bakery, pretzel or macaroni establishment	12	60	
1901 P L 322 s 1, 2; S P D 1903 v 2 p 1603 [The provisions tabulated in E are in large part superseded by the later laws given in A, above, and in G, below]	E Any minor Girl of any age	Manufacturing establishment Mercantile industry Laundry Workshop Renovating works Printing office	12	60	
1905 P L 352 s 1; S P D Supp 1905–1909 v 5 p 5482 1905 P L 352 s 9; S P D Supp 1905–1909 v 5 p 5484 1905 P L 352 s 21; S P D Supp 1905–1909 v 5 p 5486 1905 P L 352 s 23; S P D Supp 1905–1909 v 5 p 5487	F Any employee	Any establishment (Establishment shall mean any place other than where domestic, coal mining, or farm labor is employed; where men, women, or children are engaged and paid a salary or wages by any person, firm, or corporation, and where such men, women, or children are employees in the general acceptance of that term) [For meal-time provisions applying to certain establishments and to coal mines, found in laws apparently superseded in other respects by later legislation, see 1909 P L 283 s 5; S P D Supp 1905–1909 v 5 p 5606, 1909 P L 283 s 11; S P D Supp 1905–1909 v 5 p 5607 (as amended by 1913 P L 69), and 1909 P L 375 s 2; S P D Supp 1905–1909 v 5 p 5680 (as amended by 1911 P L 537), 1909 P L 375 s 7; S P D Supp 1905–1909 v 5 p 5681 (as amended by 1913 P L 70)]			

[1] Shorter time allowed for good cause, by chief factory inspector

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	[See provisions in C, above]		1. [No specific provision] 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 or imprisonment Maximum—$100 or imprisonment for 10 days 2. Third offense Minimum—$250 and imprisonment Maximum—Fine and imprisonment for 30 days	D
			1. [No specific provision] 2. Any offense Maximum—$500	E
1 hour [1]			1. Power only State commissioner of labor and industry and his deputies 2. Each offense Minimum—$25 or imprisonment for 10 days Maximum—$500 or imprisonment for 60 days	F

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
PENNSYLVANIA—Continued 1913 P L 1024 s 1, 3 (as amended by 1915 P L 709), 4-7, 16, 18	G Girl of any age	Any establishment. (Any place where work is done for compensation of any sort, to whomever payable) *Exemptions:* Work in private homes Farming Females engaged in the canning of fruit and vegetable products Nurses in hospitals	10	54	[1] 6
	H Girl of any age	Manufacturing establishment *Exemptions:* Manager, superintendent, or person doing clerical or stenographic work			
	I Girl under 21	Occupations or establishments same as in G, above *Exemptions:* Telephone operator over 18 years of age			
	J Girl of any age	Occupations or establishments same as in G, above			
PHILIPPINE ISLANDS [No provisions]					

[1] One day of holiday in 7 may be subdivided into 2 days of 12 hours each, for employees in any hotel, boarding house, or charitable, educational, or religious institution, in the discretion of the industrial board of the department of labor and industry

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OF LABOR—Continued.

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		Exception to hours per day but not per week: More hours allowed, not to exceed 2 per day, on 2 days of week in which a legal holiday occurs Overtime permitted, not to exceed 2 hours per day, to make up time lost on previous days of same week on account of stopping of machinery, for not less than 30 consecutive minutes, because of alteration, repairs, or accidents	1. Duty State commissioner of labor and industry and his deputies 2. First offense Minimum—$10 Maximum—$50 2. Subsequent offense Minimum—$25 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (Any offense—After notification by enforcing officer, each day's violation a separate offense)	G
	10 p. m. to 6 a. m.		1. Same as in G, above 2. Same as in G, above	H
	9 p. m. to 6 a. m.		1. Same as in G, above 2. Same as in G, above	I
45 minutes [2]			1. Same as in G, above 2. Same as in G, above	J

[2] Shorter period, not less than 30 minutes, allowed where employment is for less than 8 hours per day

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
PORTO RICO Revised Statutes and Codes 1911 s 1780 [The provisions tabulated in A prohibit compelling more hours of labor]	A Under 16	Agricultural factory [For provision of 8 hours on agricultural estate, with exceptions, see provisions in B, below] Manufacturing establishment [For 7 hours in any establishment, by terms of later law, see provisions in C, below]	[1] 6		
1913 No 42 s 1 (as amended by 1913 Extraordinary Session No 139), 5 (as amended by 1913 Extraordinary Session No 139), 12–14 1913 Extraordinary Session No 139 s 6	B Under 16	Agricultural estate *Exemptions:* Children 10 to 16 who are employed in picking or gathering coffee or in planting, picking, or tending in the field any agricultural or horticultural products in company with or under the direct personal supervision of their parents, guardians, or relatives over 16 years of age	8	48	
	C Under 16	Any establishment ("Establishment" includes all buildings, factories, workshops, stores, or other places of a like kind where any lucrative occupation exists) [For definition of lucrative occupation, see Table I, A]	7	42	
	D Under 16	Any lucrative occupation [For definition of lucrative occupation, see Table 1, A] *Exemptions:* Same as in B, above			
	E Girl of any age	Occupations or establishments same as in D, above *Exemptions:* Girls over 16 employed as stenographers, typewriters, office assistants, telephone or telegraph operators, or as nurses or domestics Other exemptions same as in B, above	8	48	

[1] 3 hours in the morning and 3 in the afternoon

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
			1. [No specific provision] 2. Each offense Minimum—$5 or imprisonment Maximum—$15 or imprisonment for 30 days [See note in column I]	A
	[See provisions in D, below]		1. Duty Porto Rican Bureau of Labor 2. First offense Minimum—$25 Maximum—$100 2. Subsequent offense Minimum—$100 Maximum—$1,000	B
	[See provisions in D, below]		1. Same as in B, above 2. Same as in B, above	C
	6 p. m. to 6 a. m.		1. Same as in B, above 2. Same as in B, above	D
	10 p. m. to 6 a. m.	Exception to hours per day but not per week: 1 additional hour per day permitted if double pay is given for overtime	1. Same as in B, above 2. Same as in B, above	E

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References	Application of act		Time of work		
	Ages	Occupations or establishments *Exemptions*	Maximum hours		Days per week permitted
			Per day	Per week	
I	II	III	IV	V	VI
RHODE ISLAND [For street trades, see Table 6] General Laws 1909 C 78 s 1 (as amended by 1915 C 1253), 2, 3 (as amended by 1910 C 576), 12	A Under 16 [14 to 16]	Manufacturing establishment Factory Business establishment (Every person, firm, or corporation employing any child under 16 is subject to these provisions, whatever the business conducted) *Exemptions:* Household service Agricultural pursuits Rope or wire walking, or employment as gymnast, wrestler, contortionist, equestrian performer, or acrobat, rider upon bicycle or mechanical contrivance, or in dancing, theatrical, or musical exhibition			
G L 1909 C 78 s 15 G L 1909 C 249 s 22 (as amended by 1915 C 1218), 23 (as amended by 1913 C 912)	B Boy under 16 Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Business establishment	10	54	
G L 1909 C 78 s 3 (as amended by 1910 C 576), 32–33 (as added by 1912 C 814)	C Under 21	Messenger for a telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages			
SOUTH CAROLINA 1912 Criminal Code C 16 s 423, 424 1912 Civil Code C 19 art 11 s 868	A Under 16 [12 to 16]	Factory Textile manufactory Mine			
1912 No 405 s 1, 2, 5	B Under 18 [14 to 18]	In any city of 5,000 or over: Messenger for telegraph, telephone, or messenger company in the distribution or delivery of goods or messages			
1912 Crim C C 16 s 430 (as amended by 1914 No 262)	C Girl of any age	Mercantile establishment	12	60	

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	8 p. m. to 6 a. m.		1. Duty State factory inspectors 2. Any offense Maximum—$500	A
			1. Same as in A, above 2. Each offense Maximum—$20	B
	10 p. m. to 5 a. m.		1. Same as in A, above 2. First offense Minimum—$20 Maximum—$50 2. Second offense Minimum—$50 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 6 months, or both	C
	8 p. m. to 6 a. m.	Employment until 9 p. m. permitted to make up time lost because of temporary shutdown on account of accident or breaking down of machinery	1. Power only State commissioner of agriculture, commerce, and industries, his agents and inspectors: May inspect factories and other establishments; May make investigation as to employment of children and women 2. Each offense Minimum—$10 or imprisonment Maximum—$50 or imprisonment for 30 days	A
	10 p. m. to 5 a. m.		1. Duty State commissioner of agriculture, commerce, and industries 2. Same as in A, above	B
	After 10 p. m.		1. Duty State commissioner of agriculture, commerce, and industries, his agents and inspectors: "The enforcement of this law is placed in the hands of" above officials 2. Any offense Minimum—$10 or imprisonment for 10 days Maximum—$40 or imprisonment for 30 days	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
SOUTH CAROLINA—Continued 1912 Crim C C 16 s 421 1912 Civ C C 19 art 11 s 868	D Any employee	Cotton or woolen manufacturing establishment engaged in the manufacture of yarns, cloth, hosiery, and other products for merchandise *Exemptions:* In any such establishment, mechanic, engineer, fireman, watchman, teamster, yard employee, or member of clerical force	11	60	
SOUTH DAKOTA Revised Codes 1903 Penal s 764 1913 C 240 s 4 [For provision prohibiting employment under 14 in factory or workshop, except on poverty permit, when hours are specified in permit, see Table 1, A, and Tables 2 and 3, B]	A Under 14 [See note in column I]	Manufactory Workshop Other place used for mechanical or manufacturing purposes	[1] 10		
1913 C 240 s 1, 4 [In case permit is issued for child under 14 in certain occupations, for which see Table 2, B, it authorizes his employment "within certain hours, to be fixed therein"]	B Boy under 14 Girl of any age [See provision of the same act tabulated in C, below]	Any occupation *Exemptions:* Farm labor Domestic service Care of live stock	([2])		
1913 C 240 s 2, 4, 8	C Under 16 [See provision of the same act tabulated in B, above]	Any occupation	10	60	
R C 1903 Penal s 764 1913 C 240 s 4	D Boy under 18 Girl of any age	Same as in A, above	[2] 10		

[1] This provision prohibits "permitting" more hours of labor
[2] "Standard day's work shall not exceed 10 hours"

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		Time lost (not to exceed 60 hours per annum) on account of accident or other unavoidable cause may be made up	1. Same as in A, above 2. Each offense Minimum—$25 or imprisonment Maximum—$100 or imprisonment for 30 days (Above penalty is incurred for entering into or enforcing contracts for longer hours)	D
			1. ["Every factory, workshop, mine, mercantile establishment or other place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the county superintendent of schools"] 2. Any offense Minimum—$10 Maximum—$100 (Above penalty is incurred by employer who shall "permit" more hours of labor)	A
			1. Same as in A, above 2. Any offense Maximum—$100 or imprisonment for 30 days, or both (Above penalty is incurred by employer who shall "compel" more hours of labor)	B
		[A proviso to the section here tabulated permits employment until 10 p. m. on Saturdays and for 10 days before Christmas, but it is not clear whether or not this proviso permits overtime work]	1. Same as in A, above 2. Any offense Minimum—$10 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both	C
			1. Same as in A, above 2. Any offense Minimum—$10 Maximum—$100 (Above penalty is incurred by employer who shall "compel" more hours of labor)	D

[a] This provision prohibits only "compelling" more hours of labor

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
TENNESSEE 1913 First Extra Session C 12 s 1–2 (as amended by 1915 C 144), 3, 7 1915 C 176 s 1 [For earlier law providing 60 hours in "manufacturing establishments," see provisions in C, below]	A Boy under 16 [14 to 16] Girl of any age [Over 14]	Factory Workshop ("The term 'workshops and factories' * * * shall include the following: Manufacturing, mills, mechanical, electrical, mercantile, art and laundering establishments, printing, telegraph and telephone offices, department stores, or any kind of an establishment wherein labor is employed or machinery is used") *Exemptions:* Domestic service Agricultural pursuits Fruit and vegetable canning factories	(1)	57	
1909 C 124 s 1 1911 C 57 s 1 (as amended by 1913 First Extra Session C 47), 6 1913 C 11 s 2, 3 (as amended by 1915 C 170), 4, 5 (as amended by 1915 C 170). 6, 7, 9 1915 C 172 s 1	B Under 16 [14 to 16]	Mill Factory Workshop Laundry Telegraph office Telephone office Distribution or transmission of merchandise Distribution or transmission of messages *Exemptions:* Fruit and vegetable canning factories			
1907 C 308 s 3, 4 1909 C 124 s 1 1913 C 11 s 2, 3 (as amended by 1915 C 170), 4, 5 (as amended by 1915 C 170), 6, 7, 9	C Boy under 16 Girl of any age	Manufacturing establishment [But in so far as such establishment is covered by the term "factory" or "workshop," the later provisions tabulated in A, above, apply]		60	
1909 C 124 s 1 1911 C 57 s 4, 6 1913 C 11 s 2, 3 (as amended by 1915 C 170), 4, 5 (as amended by 1915 C 170), 6, 7, 9	D Under 18	Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			

[1] Less than 10½ hours

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		10½ hours per day permitted only for the purpose of providing 1 short day in the week	1. Duty State department of workshop and factory inspection 2. Each offense Minimum—$25 Maximum—$100	A
	6 p. m. to 6 a. m.		1. Duty Chief State inspector of "workshops and factories": Shall enforce all laws relating to "workshops and factories" (Term includes manufacturing, mechanical, and mercantile establishments, telegraph and telephone offices, or any kind of an establishment wherein labor is employed or machinery used); Has full power to enforce all labor laws except those relating to mining 2. Any offense Minimum—$25 Maximum—$250	B
			1. Same as in B, above 2. Same as in A, above	C
	10 p. m. to 5 a. m.		1. Same as in B, above 2. Same as in B, above	D

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
TEXAS Revised Criminal Statutes 1911 art 1589, 1590 1915 C 56 s 1, 1a, 1b, 3	A Girl of any age	Mechanical establishment Mercantile establishment Mill Factory Workshop Mine Laundry Hotel Restaurant Rooming house Theater Moving picture show Barber shop Telegraph office Telephone office Office Employment by express company Employment by transportation company Employment by state institution Any other establishment, institution, or enterprise where females are employed *Exemptions:* Stenographer Pharmacist Telegraph or telephone company in any rural district or in any city or town of less than 3,000 Mercantile establishment in any rural district or in any city or town or village of less than 3,000	9	54	
	B Girl of any age	Laundry	[1] 11	54	
	C Girl of any age	Factory engaged in the manufacture of cotton, woolen, or worsted goods or articles of merchandise manufactured out of cotton goods	[1] 10	60	

[1] Double the regular pay must be paid for all employment for more than 9 hours in any one day

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OF LABOR—Continued.

notes on pp. 467-475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		In case of extraordinary emergency such as great public calamity or where necessary to protect human life or property, more hours allowed, with consent of employee, provided double pay is given for overtime	1. Duty State commissioner of labor statistics: Must enforce if he "shall learn of any violation" of labor laws, and has powers of inspection "where 5 or more persons are employed" 2. Any offense Minimum—$50 Maximum—$.00 (Each day's violation a separate offense)	A
			1. Same as in A, above 2. Same as in A, above	B
			1. Same as in A, above 2. Same as in A, above	C

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
UTAH [For street trades, see Table 6] 1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 8, 14	A Boy under 14 Girl under 16	Any gainful occupation *Exemptions:* Domestic service Fruit or vegetable packing "Work on a farm"		54	
1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 7, 14	B Under 21	In any city of the first or second class: Messenger for telegraph or messenger company in the distribution, transmission, or delivery of goods or messages			
1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 133 s 1, 2	C Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Laundry Hotel Restaurant Telegraph establishment Telephone establishment Hospital Office Employment by express company Employment by transportation company *Exemptions:* [See column IX for exception "where materials are liable to spoil" which would appear to exempt canneries]	9	54	
Compiled Laws 1907 s 1337, 4065 1911 C 113 s 4 (as amended by 1913 C 76)	D Workingmen	Underground mine Underground workings Smelter or any other institution for the reduction or refining of ores or metals	8		
C L 1907 s 4065 1911 C 113 s 4 (as amended by 1913 C 76) 1915 C 23 s 1–4	E Any employee	In any city of 10,000 population or over: Wholesale or retail mercantile or commercial house *Exemptions:* Mercantile or commercial house dealing exclusively or chiefly in foodstuffs, meats, and other provisions of a perishable nature Drug store			

[1] Establishments shall close at 6 p. m.

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
			1. Duty State commissioner of immigration, labor, and statistics: Must "investigate and report to the proper authorities all violations of law regarding the conditions surrounding the employment of children, minors and women and the laws established for the protection of all employees in factories, mines, mills, and other institutions where labor is employed" 2. Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
	9 p. m. to 5 a. m.		1. Same as in A, above 2. Same as in A, above	B
		In case of emergency in hospitals or elsewhere Where life or property is in imminent danger "Where materials are liable to spoil by the enforcement of these provisions"	1. Same as in A, above 2. Any offense Minimum—$25 Maximum—$100	C
		In case of emergency where life or property is in imminent danger	1. Same as in A, above [C L 1907 s 1507–1524 provide for an inspector of mines, but his duties apparently relate only to health and safety] 2. Any offense Maximum (for individual)—$300 or imprisonment for 6 months, or both Maximum (for corporation)—$1,000	D
	(1)	Provisions do not apply to the 6 business days immediately preceding Christmas day	1. Same as in A, above 2. Same as in D, above	E

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
VERMONT Public Statutes 1906 C 50 s 1044 (as amended by 1912 No 75 s 10), 1045 (as amended by 1912 No 75 s 11), 1048 (as amended by 1910 No 70 s 8), 1049 1912 No 188 s 2 (as amended by 1915 No 1 s 216), 3	A Under 16	Work connected with: Manufacturing Railroading Mining Quarrying Employment in: Hotel Bowling alley Delivery of messages	9	50	
1912 No 85 s 1, 2, 4 1912 No 188 s 2, 3 [The provisions tabulated in B apply only to persons over 16 in so far as the occupations listed in B-III are covered by those in A-III, above]	B Boy under 18 Girl of any age [See note in column I]	Manufacturing establishment Mechanical establishment	11	58	
VIRGINIA Code 1904 s 1790c(7) (as added by 1914 C 321) C 1904 s 3657bb	A 12 to 14	Manufacturing operation Mechanical operation Mining operation [But see Table I, B and D]			
C 1904 s 1790c(7) (as added by 1914 C 321) C 1904 s 3657b (as amended by 1914 C 158 s 1) 1914 C 158 s 3	B Boy under 14 Girl of any age	"Work as an operative" in following establishments: Manufacturing establishment Mercantile establishment Factory Workshop Laundry *Exemptions:* Mercantile establishment in any town of less than 2,000 Country store Canning factory and fish-packing establishment located in a country section Female whose full time is employed as bookkeeper, stenographer, cashier, or office assistant	10		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
•	8 p. m. to 7 a. m.		1. Duty Town or union superintendent [of schools] State factory inspector: Has powers of inspection and shall enforce whenever he "finds a violation of the law relating to the employment of children, minors and women" 1. Power only Truant officers "All informing officers": May make complaint [For powers of town selectmen as to child "compelled to labor" in manufacturing establishments "at unreasonable hours," see P S 1906 C 151 s 3247] 2. First offense Minimum—$5 Maximum—$200 2. Second offense Minimum—$5 or imprisonment Maximum—$200 or imprisonment for 6 months	A
		Exception to hours per day but not per week: Overtime allowed to make up time lost on previous day of same week in consequence of stopping of machinery (for not less than 30 consecutive minutes) upon which woman or child was employed or dependent for employment	1. Duty State factory inspector: Has duties and powers as specified in A, above 2. Any offense Minimum—$50 Maximum—$100	B
	6 p. m. to 7 a. m.		1. Same as in B, below 2. Any offense Minimum—$25 Maximum—$100	A
			1. Duty State commissioner of labor (chief factory inspector): "Shall secure the enforcement of all laws * * * relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions" 2. Any offense Minimum—$5 Maximum—$20 (Above penalty is incurred for engaging or contracting for more hours of labor)	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References	Application of act: Age	Application of act: Occupations or establishments *Exemptions*	Time of work: Maximum hours: Per day	Time of work: Maximum hours: Per week	Time of work: Days per week permitted
I	II	III	IV	V	VI
VIRGINIA—Continued C 1904 s 1790c (7) (as added by 1914 C 321) 1908 C 301 s 1-2 (as amended by 1914 C 339), 4 (as amended by 1914 C 339), 6 (as amended by 1914 C 339) [Nothing in this act, which includes the provisions tabulated in C, D, and E, shall prevent a parent from working his child in any factory, workshop, mercantile establishment, laundry, or other place owned or operated by said parent] [Circuit or corporation court, on petition of parent, etc., or person interested in child, may, "for good cause shown entered of record," release any child 12 to 14 or his parent, etc., from the operation of this act—1908 C 301 s 1-6 (as amended by 1914 C 339)]	C Under 14 [See notes in column I]	Distribution, transmission, or sale of merchandise [See provisions in D, below] *Exemptions:* [See notes in column I]			•
	D Under 16 [See notes in column I]	Mercantile establishment Factory Workshop Mine Laundry Bakery Brickyard Lumberyard Distribution, transmission, or sale of merchandise [See provisions in C, above] *Exemptions:* Factory engaged exclusively in packing fruits and vegetables, between July 1 and Nov. 1 Mercantile establishment in any town of less than 2,000, or in a country district [See notes in column I]	10		6
	E Under 18 [See notes in column I]	In any city of 5,000 population or over according to 1910 census: Messenger for telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages *Exemptions:* [See notes in column I]			
WASHINGTON Pierce's Code 1912 title 37 s 17, 19 P C 1912 t 291 s 101	A Under 16	Bakeshop			
P C 1912 t 291 s 101, 145, 149	B Girl of any age	Mechanical establishment Mercantile establishment Laundry Hotel Restaurant *Exemptions:* Employment in harvesting, packing, curing, canning, or drying perishable fruits or vegetables, or in canning fish or shellfish	8		

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
	After 7 p. m.		1. Same as in A, above 2. Any offense Minimum—$25 Maximum—$100 (Above penalty is incurred for employment contrary to law in "factory, workshop, mercantile establishment or laundry")	C
	9 p. m. to 7 a. m.		1. Same as in A, above 2. Same as in C, above	D
	10 p.m. to 5 a.m.		1. Same as in A, above 2. Same as in C, above	E
	8 p. m. to 5 a. m.		1. Duty State commissioner of labor and his assistants 2. First offense Minimum—$25 or imprisonment Maximum—$50 or imprisonment for 10 days 2. Subsequent offense Minimum—$50 and imprisonment for 10 days Maximum—$100 and imprisonment for 30 days	A
			1. Same as in A, above 2. Each offense Minimum—$10 Maximum—$100	B

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
WASHINGTON— Continued P C 1912 t 291 s 101 P C 1912 t 345 s 177, 181, 182	C Any employee	Underground work in coal mine *Exemptions:* Engineer, roperider, motorman, cager, or others necessarily employed in transporting men in and out of mine, who are permitted to work 10 hours	8		
1913 C 174 s 1–20 1915 C 68 s 1	D [Power of commission extends over women and minors]	[The industrial welfare commission may establish such standard conditions of labor for women and minors as shall be held to be reasonable and not detrimental to health and morals][1]			
WEST VIRGINIA [No provisions]					
WISCONSIN [For street trades, see Table 6] Statutes C 27 s 439ca St C 83 s 1728a.2, 1728a-4.1, 1728a-4.2, 1728c.1, 1728d.1 St C 110a s 2394–52, 2394–70	A Under 16	Any gainful occupation *Exemptions:* Domestic service Farm labor	8	48	6
St C 73a s 1636–106, 1636–108, 1636–109	B Under 18	Manufacture of cigars in cigar shop or cigar factory	8	48	
St C 27 s 439ca St C 83 s 1728a.2, 1728a-4.1, 1728a-4.2, 1728d.1 St C 110a s 2394–52, 2394–70	C Under 21	In any city of the first, second, or third class: Messenger for telegraph or messenger company in the distribution, transmission, or delivery of messages or goods			
St C 83 s 1728–1, 1728–2, 1728–4 St C 110a s 2394–52	D Girl of any age [Over 16—See provisions in A, above]	Any occupation (Provision subject to change by industrial commission. Said commission may forbid employment of females at such times or for such hours as are "dangerous or prejudicial to their life, health, safety or welfare")	[2] 10 [3] 8	[2] 55 [3] 48	

[1] The commission has prohibited the employment of minors under 18 in any mercantile, factory, laundry, or dye-works establishment after 7.30 p. m. It has also prohibited night work between 9 p. m. and 6 a. m. in any telephone, telegraph, or mercantile establishment, or any messenger or parcel-delivery service, and has ruled that 1 hour be allowed for a luncheon period to any female employed in any establishment used in connection with the operation of any telegraph or telephone line

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OF LABOR—Continued

notes on pp. 467-475 should be borne in mind].

Time of work—Continued			Enforcement	
Meal time prescribed	Night work prohibited	Exceptions	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc.	
VII	VIII	IX	X	
		Overtime permitted if necessitated by weekly change of shift, or by accident, or for unavoidable repairs, or for protection of property or human life	1. Duty State inspector of coal mines State commissioner of labor and his assistants 2. Same as in B, above	C
			[See column III]	D
30 minutes	6 p. m. to 7 a. m.	Employment for 8½ hours permitted on other days if workday ends on Saturday at 12 noon	1. Duty State industrial commission Truant officers: Must inspect establishments and report cases of illegal employment of minors to school authorities and to State industrial commission; May make complaint 1. Power only Police officers and citizens: May make complaint 2. Each offense Minimum—Forfeiture of $10 to State Maximum—Forfeiture of $100 to State [A civil suit may be brought for violation]	A
			1. Duty State industrial commission 2. First offense Minimum—$10 Maximum—$25 2. Subsequent offense Minimum—$25 Maximum—$50	B
	8 p. m. to 6 a. m.		1. Same as in A, above 2. Same as in A, above	C
1 hour			1. Same as in B, above 2. Each offense Minimum—$10 Maximum—$100 (Each day's violation and each week's violation a separate offense)	D

[2] For daywork, defined as between 6 a. m. and 8 p. m., but employment after 8 p. m. allowed 1 night per week

[3] For night work, defined as between 8 p. m. and 6 a. m.

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TABLE 4.—HOURS

[In reading this analysis, the explanatory

State References I	Application of act Age II	Occupations or establishments *Exemptions* III	Time of work Maximum hours Per day IV	Per week V	Days per week permitted VI
WYOMING 1915 C 77 s 4, 6	A 14	Any gainful occupation *Exemptions:* Farm work Domestic service	9	56	
1915 C 45 s 1–3	B Girl of any age	Manufacturing establishment Mechanical establishment Mercantile establishment Printing establishment Baking establishment Laundering establishment Canning establishment Hotel Telephone exchange Restaurant Theater Place of public amusement *Exemptions:* Telephone office or exchange employing 3 females or less Hotel or restaurant operated by railroad company	[1]10	56	
Constitution art 19 s 1 Compiled Statutes 1910 s 3499–3501 C S 1910 s 3518, 3538	C Any employee	Underground mine Underground workings Smelter, stamp mill, sampling works, concentrator, or any other institution for the reduction of ores, and refining of ores or metals	8		
C S 1910 s 3502–3504	D Any employee	Miner or laborer in coal mine	[2]8		

[1] Only 2 days of 10 hours each permitted per week
[2] The word "day" when used in contracts shall be construed to be 8 hours

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OF LABOR—Continued

notes on pp. 467–475 should be borne in mind]

Time of work—Continued			Enforcement	
Meal time prescribed VII	Night work prohibited VIII	Exceptions IX	1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. X	
			1. [No specific provision] 2. Any offense Minimum—$25 or imprisonment for 30 days, or both Maximum—$100 or imprisonment for 90 days, or both	A
Not less than 30 minutes nor more than 2 hours after 6 hours' work			1. [No specific provision] 2. Same as in A, above (Each violation a separate offense)	B
		In case of emergency where life or property is in imminent danger	1. Duty State inspectors of coal mines: Must inspect coal mines; May enforce coal-mining laws [C S 1910 s 3483–3492 provide for an inspector of metalliferous mines, but his duties apparently relate only to safety] 2. Each offense Minimum—$100 or imprisonment for 1 month, or both Maximum—$500 or imprisonment for 6 months, or both	C
			1. Same as in A, above 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$300 or imprisonment for 3 months, or both	D

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
ALABAMA 1915 No 220 s 6 1915 No 470 s 1-9, 13 [For exemption from attendance in case parent is not able to provide necessary books and clothing, and requirement for attendance after aid has been provided by any means whatsoever, see 1915 No 470 s 4] [The act tabulated in A will be in effect Oct. 1, 1917]	A "Between the ages of 8 and 15 years, inclusive" *Exemptions:* (1) Upon completion of 7 grades (2) If living 2½ miles from public school by the nearest traveled route, unless public transportation within reasonable walking distance is provided (3) Upon temporary excuse by teacher, with approval of attendance officer, in extreme cases of emergency or domestic necessity (4) If physical or mental condition renders attendance impracticable or inexpedient, upon certificate from practicing physician (5) If child's services are necessary for the support of himself or his parents, on account of extreme poverty, as attested by affidavit of parents and such other witnesses as the attendance officer may require		
1915 p 193 s 8, 14, 17	B Under 16	Manufacturing establishment Mill Factory	
ALASKA 1913 C 44 s 1-2 (as ratified by 1915 C 41)	A 8 to 16 (if white or of mixed blood and living a civilized life) *Exemptions:* (1) Upon completion of course of study equal to that covered by the public schools (2) If not living in incorporated town where school child is entitled to attend is maintained, or, if living outside such town, not living within 2 miles of such town (3) If physical or mental condition renders attendance inexpedient or impracticable (4) "For other cause," upon written excuse signed by majority of school board		
1913 C 44 s 2-4 (as ratified by 1915 C 41)	B 8 to 16 (if Eskimo, Aleut, Indian, or other native child, or of mixed blood and not living a civilized life) *Exemptions:* (1) If not living within 1 mile of United States public school for Alaska natives (2) If physical or mental condition renders attendance inexpedient or impracticable (3) "For other cause," upon written excuse signed by school principal or district superintendent of schools		

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SCHOOL ATTENDANCE

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
80 days, but the city, town, or county board of education may reduce period to not less than 60 days for any individual school			1. Duty Attendance officers 2(a). Any offense Minimum—$5 or imprisonment Maximum—$50 or imprisonment for 30 days	A
8 (6 consecutive) weeks each year			1. Duty State factory inspector 2(b). First offense Minimum—$10 Maximum—$100 2(b). Subsequent offense Minimum—$100 Maximum—$500	B
Entire session			1. Duty United States commissioner: On complaint of school board Principal of school nearest the place where offender resides: Must report violations to school board 1. Power only School board: May submit to United States commissioner violations reported by school principals 2(a). Any offense Minimum—$5 Maximum—$20	A
Same as in A, above			1. Duty Truant officers for native school districts United States commissioner: On complaint of authorized person District superintendent or any teacher of United States public schools for Alaska natives: Must make complaint in case of violation to United States commissioner 1. Power only Any person directly interested in education of Alaska natives: May make complaint to United States commissioner 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
ARIZONA Revised Statutes 1913 Civil Code title 11 C 14 s 2802–2804	A 8 to 14 *Exemptions:* By district board of trustees if satisfied that any one of the following reasons exists: (1) Completion of the grammar-school course prescribed by State board of education; (2) Physical or mental condition (as declared by competent physician approved by board) such as to render attendance inexpedient or impracticable By board, consisting of president of school board, superintendent, principal, or teacher, and a probation officer appointed by superior judge, for "reasons satisfactory" to said board		
	B 14 to 16 *Exemptions:* Same as in A, above [It may be that child having "employment certificate" would also be exempted—See Table 2, A–VI, for educational requirements for obtaining same]		
ARKANSAS 1909 A 234 s 1–3, 5, 9 [1909 A 234 was limited to 31 out of the 75 counties in the State. Of these 31 counties, 5 are covered by a later and different law (see C, below) leaving only 26 to which this act apparently applies] 1911 A 231 s 1, 2, 3, 5, 7 [1911 A 231 was limited to 34 out of the 75 counties in the State. Of these 34 counties, 22 are included in the 26 apparently subject to the same provisions under 1909 A 234 referred to above]	A 8 to 16 *Exemptions:* Child may be excused temporarily if it be shown to district school board or court of competent jurisdiction that one of the following reasons exists: (1) Child has completed 7 grades; (2) Labor of child is absolutely necessary for support of family [But it would appear that this exemption is nullified by the provisions of 1914 A 1, requiring employment certificates for children under 16 in any employment, and fixing a minimum age of 14 for employment in any occupation with certain exemptions during vacation only. The same act would apparently substitute by implication an exemption of children 14 to 16 who have employment certificates]; (3) Parent or guardian can not provide proper clothing; (4) There is no public school within 2½ miles; (5) Child is mentally or physically incapacitated to attend school		These provisions appear to apply now to only 38 out of the 75 counties in the State, since 5 of the 31 to which 1909 A 234 was limited are specifically included in a later provision (see C, below) and 1911 A 231 applies to only 12 counties not already apparently subject to the same provisions under 1909 A 234
	B 16 to 20 *Exemptions:* If regularly and lawfully engaged in useful employment or service Other exemptions same as in A, above, with the omission of subdivision (2), which is not applicable		Same as in A, above

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire session			1. Duty Attendance officers: Have duty of enforcement; [For duties of inspection, see Table 2, A-IX] Deputy sheriff Constable City marshal 2(a). Any offense Minimum—$5 Maximum—$25	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
One-half entire session			1. Duty Attendance officers: Have duty of enforcement; May inspect establishments where children are employed 2(a). Any offense Minimum—$10 Maximum—$25	A
Same as in A, above			1. Same as in A, above 2. [No specific provision]	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
ARKANSAS—Continued 1909 A 347 s 1-3, 5, 9, 10	C 8 to 14 *Exemptions:* Child may be excused temporarily if it be shown to district school board or court of competent jurisdiction that one of the following reasons exists: (1) Child has completed 8 grades; (2) Labor of child is absolutely necessary for support of family [But it would appear that this exemption is nullified by the provisions of 1914 A 1, fixing a minimum age of 14 for employment in any occupation]; (3) Parent or guardian can not provide proper clothing; (4) There is no public school within 2½ miles; (5) Child is mentally or physically incapacitated to attend school		This act is limited to 9 out of the 75 counties in the State. Of these 9 counties, 5 were included in the 31 to which 1909 A 234 was limited, but this act is a later one
	D 14 to 16 *Exemptions:* If regularly and lawfully engaged in useful employment or service Other exemptions same as in C, above, with the omission of subdivision (2), which is not applicable		Same as in C, above
CALIFORNIA Deering's General Laws 1909 A 1611 s 17 (as added by 1915 C 625) D G L 1909 A 1611 as 1, 2 D G L 1909 A 3574 s 1 (as amended by 1911 C 482), 2, 3, 4 (as amended by 1915 C 461) [An amendment to the child labor law, passed later than the compulsory education law, makes it impossible to obtain a "permit to work" during school hours under 14, thus raising the age for required school attendance to 14, and to 15 unless a permit to work has been secured]	A 8 to 12 [See note in column 1] *Exemptions:* If it be shown to local board of education or district board of school trustees that one of the following reasons exists: (1) Child has completed "regular grammar school course"; (2) There is no public school within 2 miles; (3) Child's bodily or mental condition is such as to prevent or render inadvisable attendance at school or application to study (certificate from any reputable physician sufficient evidence) Under circumstances rendering attendance impracticable or dangerous to health, owing to unusual storm or other sufficient cause		
	B 12 to 15 [See note in column 1] *Exemptions:* If it be shown to local board of education or district school board that child has "permit to work" [See note in column 1] Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Same as in A, above			1. Same as in A, above 2. Any offense Minimum—$5 Maximum—$25 [as prescribed by 1909 A 347 s 5]; $25 or imprisonment for 30 days, or both [as prescribed by 1909 A 347 s 10]	C
Same as in A, above			1. Same as in A, above 2. Same as in C, above	D
Entire session			1. Duty Local board of education or district board of school trustees: On complaint Commissioner of State bureau of labor statistics: Shall deliver child 8 to 15 illegally employed to school authorities Attendance officers: Must enforce on complaint, and have such other duties as are prescribed by local board of education; May inspect any place of employment to investigate violations 1. Power only Probation officers: May inspect any place of employment to investigate violations 2(a). First offense Maximum—$10 or imprisonment for 5 days 2(a). Subsequent offense Minimum—$10 or imprisonment for 5 days, or both Maximum—$50 or imprisonment for 25 days, or both	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
CALIFORNIA—Continued D G L 1909 A 1611 (as amended by 1915 C 625) s 10, 11, 13 D G L 1909 A 1611 s 16-17 (as added by 1915 C 625) [Section 11 requires also "any other minor under 16 who would by law be required to attend school" to attend school if unemployed. It is not evident that there are any minors to whom this provision could apply]	C 15 to 16 (if child has "age and schooling certificate" and is unemployed for more than 2 weeks)		
	D 15 to 16 (unless child has completed "prescribed grammar-school course") [See note in column I]	Any occupation during school hours	
COLORADO Mills' Annotated Statutes revised edition 1912 s 639, 643-645, 647, 649, 650 [For earlier law, applying to children 14 to 16 unable to read and write English, requiring a certain amount of school attendance, apparently partially nullified by later provisions, see M A S r e 1912 s 641]	A 8 to 14 *Exemptions:* During physical or mental disability, on certificate from reputable physician [See also provisions in B, below]		All school districts of the State except those in which there are not sufficient seating accommodations in schools
	B 8 to 14 (if receiving, on recommendation of truant officer, "such [poor] relief as will enable child to attend school")		Same as in A, above
	C 14 to 16 *Exemptions:* If child has permit from district or county superintendent for any one of the following reasons: (1) Completion of the eighth grade or eligibility for high school; (2) If help is necessary for support of child or his parents; (3) If exemption is for child's "best interests" During physical or mental disability, on certificate from reputable physician		Same as in A, above

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
While unemployed			1. Duty State bureau of labor statistics 1. Power only Attendance and probation officers: May inspect places of employment to investigate violations 2. [No specific provision]	C
	Regular attendance		1. Same as in C, above 2(b). Each offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (The above penalty is found in D G L 1909 A 1611, as amended by 1915 C 625, s 13; the following penalty is given in section 16 of the same law) 2(b). Any offense Maximum—$50 or imprisonment for 60 days, or both	D
Entire school year			1. Same as in C, below 2. Same as in C, below	A
3 hours per school day			1. Same as in C, below 2. Same as in C, below	B
Same as in A, above			1. Duty Truant officers: Have duty of enforcement; May inspect establishments where children are employed 2(a). First offense Minimum—$5 Maximum—$20 2(a). Second offense Minimum—$5 or $5 and imprisonment for 10 days Maximum—$20 or $20 and imprisonment for 30 days	C

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
COLORADO—Continued M A S r e 1912 s 537, 666, 667, 670, 672, 673 1915 C 180 s 11 [For possible exemption, see M A S r e 1912 s 671] [For earlier law applying to children 14 to 16 unable to read and write English, requiring a certain amount of school attendance, apparently partially nullified by later provisions, see M A S r e 1912 s 641]	D 14 to 16 (if child has age and school certificate stating that he can not read and write simple sentences)	Manufacturing establishment Mercantile establishment Store Office Hotel Laundry Bowling alley Theater Concert hall Place of amusement Passenger or freight elevator [See Table 1, B] Factory Workshop Messenger for any of the above Driver for any of the above [See column IV]	[Age and school certificate can be issued to child who can not read and write simple sentences only in city or town where there is a public or parochial evening school]
	E 14 to 16 (if child can not read and write simple sentences)	Any occupation [See column IV]	Town or city where public evening school is maintained
CONNECTICUT General Statutes revision 1902 s 2116, 2117, 2121, 2252 (as amended by 1913 C 182), 2255 (as amended by 1913 C 182), 4707 1903 C 29 s [1] (as amended by 1905 C 36) 1915 C 210 [For provisions allowing towns and cities to make by-laws concerning habitual truants and appoint truant officers for the enforcement thereof, see G S r 1902 s 2122, 2123]	A 7 to 14 *Exemptions:* (1) If destitute of suitable clothing and parent or guardian is unable to provide such clothing (2) If mental or physical condition is such as to render instruction inexpedient or impracticable		
	B 14 to 16 *Exemptions:* If lawfully employed at home or elsewhere Other exemptions same as in A, above		
	C 14 to 16 ("Whenever the school visitors, town school committee, or board of education of any town or district shall by vote decide, or whenever the State board of education shall ascertain" that child "has not schooling sufficient to warrant his leaving school to be employed and shall so notify parent or guardian") *Exemptions:* Same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467-475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
	Regular attendance certified weekly by teacher and principal of evening school		1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in most regulated employments [For list, see M A S re 1912 s 667] State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor" 2(b). First offense Minimum—$5 Maximum—$100 2(b). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	D
	Regular attendance		1. Same as in D, above 2. Same as in D, above	E
Entire session			1. Duty School visitors or town school committee: "Shall * * * examine into the situation of the children employed in all manufacturing eslishments" and "report all violations" of this act Agents of State board of education: If so directed by said board Truant officers 2(a). Any offense Maximum—$5	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Until "leaving certificate" is granted by the local or State school authority giving the notification			1. Duty Agents of State board of education: If so directed by said board 1. Power only School visitors Town school committees Local boards of education State board of education 2. Same as in A, above	C

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
CONNECTICUT—Continued G S r 1902 s 2147, 4707 [In so far as the provisions tabulated in D relate to occupations for which an employment certificate is required (employment in manufacturing, mechanical, and mercantile establishments) they are apparently superseded by 1911 C 119 s 2—See Tables 2 and 3, A]	D 14 to 16 (if child can not read and write)	Any occupation [excluding employment in manufacturing, mechanical, and mercantile establishments; see note in column I] [See column IV	Town where public evening school is established
DELAWARE [For powers of the general assembly to enact school-attendance laws, see constitution art 10 s 1] Revised Code 1915 C 71 s 2313–2317	A 7 to 14 *Exemptions:* If excused by majority of commissioners of school district—excuse countersigned by county superintendent—because prevented from attendance upon school or application to study by mental, physical, or other urgent reasons ("urgent reasons" to be "strictly construed") If there is no public school within 2 miles by nearest traveled road, unless free conveyance is provided		
DISTRICT OF COLUMBIA 34 United States Statutes at Large p 219 s 1, 2; p 220 s 4, 6 [See Table 2, C–III, and Table 1, A, for provisions of child labor law passed later than law here tabulated]	A 8 to 14 *Exemptions:* Upon satisfactory evidence to the superintendent of schools of the District of Columbia that one of the following reasons exists: (1) Child has acquired the "branches taught in the public schools"; (2) Physical or mental condition such as to render attendance or instruction inexpedient or impracticable [See also note in column I]		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
	Attendance of 18 consecutive evenings during every school month of 20 days, shown by certificate of teacher of evening school		1. Duty State board of education through its agents 2(b). Any offense Maximum—$50	D
5 months beginning not less than 1 month after opening of school, or, if school district so votes, 3 months beginning not later than January 2			1. Duty Attendance officers 2 (a). First offense Maximum—$2 2 (a). Subsequent offense Maximum—$5	A
Entire school year			1. Duty Truant officers, child labor inspectors [2 detailed privates of police force] and probation officers: "Shall carry out the provisions of this act;" "Shall visit any place or establishment where minor children are employed" to ascertain whether said provisions are complied with 2(a). Each offense Maximum—$20	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
FLORIDA 1915 C 6831 s 1-7, 9, 11, 13, 15-19 [For exemption from attendance in case parent is not able to provide necessary books and clothing, and requirement for attendance after aid has been provided through charity or by other means, see 1915 C 6831 s 11]	A 8 to 14 *Exemptions:* (1) If physical or mental condition as attested by competent physician before court having jurisdiction renders attendance impracticable or inexpedient (2) If, on account of extreme poverty, services of child are necessary for the support of himself or his parents, as attested by affidavit of parents and of such witnesses as attendance officer may require (3) If living more than 2 miles from the schoolhouse by the nearest traveled route, unless transportation is provided		Any special tax district, school board district, or county where this act is adopted by a three-fifths vote at a popular election which must be ordered upon a petition of one-fourth of the registered white voters. If the election is held in a whole county, this act shall be in force in any school board district where three-fifths of the votes in that district are in favor of its adoption
GEORGIA [No provisions. See Table 2, A-VI, for school attendance required as a prerequisite for entering certain employments]			

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
80 days			1. Duty Attendance officers: Have duty of enforcement; May inspect office, factory, or business house 2(a). Each offense Minimum—$1 Maximum—$3 (Each day's violation a separate offense after expiration of 3 days from notification)	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
HAWAII Revised Laws 1915 s 286, 287 (as amended by 1915 A 92), 288 (as amended by 1915 A 92)	A 6 to 13 *Exemptions:* (1) If distance to nearest school exceeds 4 miles and no suitable transportation is provided (2) If physically or mentally unable to attend school, upon certificate of licensed physician (3) If upon investigation of juvenile court or district magistrate it be shown that for any other reason child may properly remain away from school		
	B 13 to 14 *Exemptions:* If child is suitably employed and has passed required examinations of primary and grammar schools Other exemptions same as in A, above		
	C 14 to 15 *Exemptions:* (1) If child is suitably employed and has passed required examinations of primary and grammar schools (2) If child is suitably employed under direction of parent or guardian Other exemptions same as in A, above		
IDAHO [For powers of legislature to enact compulsory school-attendance laws, see constitution art 9 s 9] 1911 C 159 s 58 (as amended by 1913 C 115), 146, 148–151, 159–161, 173 1913 C 77 s 7	A 8 to 14 *Exemptions:* On written permit from district or county superintendent of schools (his refusal to grant being subject to decision of probate court of county on appeal) if child's bodily or mental condition does not permit attendance at school, on certificate from reputable physician		
	B 14 to 18 *Exemptions:* On written permit from district or county superintendent of schools (his refusal to grant being subject to decision of probate court of county on appeal) for one of the following reasons: (1) Completion of eighth grade or eligibility to enter high school; (2) If child's help is necessary for his own or his parent's support; (3) If for good cause shown it would be for child's best interests to be exempted Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire session			1. Duty District magistrate: Upon complaint Deputy sheriff or police officer designated by him 2(a). Any offense Minimum—$5 or imprisonment Maximum—$50 or imprisonment for 2 months	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Same as in A, above			1. Same as in A, above 2. Same as in A, above	C
Entire school year			1. Duty State board of education Probation officers: Have duty of enforcement; Have duty of inspecting "places of employment mentioned" [in 1911 C 159 s 166, 172] to discover cases of illegal employment School trustees [or truant officers]: Have same duty of inspection as probation officers 1. Power only Any reputable citizen: May bring complaint 2(a). Any offense Maximum—$300 or imprisonment for 6 months, or both	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analaysis, the explanatory

State Roferences I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
ILLINOIS Hurd's Revised Statutes 1913 C 122 s 274, 275	A 7 to 14 *Exemptions:* (1) If child's physical or mental condition renders attendance impracticable or inexpedient (2) If excused for temporary absence for cause by principal or teacher of school attended		
	B 14 to 16 *Exemptions:* If necessarily and lawfully employed during school hours Other exemptions same as in A, above		
H R S 1913 C 48 s 20b, 20c, 20f, 20g, 20h, 20l, 20m	C 14 to 16 (if child has age and school certificate stating that he can not read and write simple sentences)	Manufacturing establishment Mercantile institution Factory Workshop Store Office Hotel Laundry Bowling alley "Theater, concert hall, or place of amusement" Passenger or freight elevator [But operation of same is prohibited under 16—See Table 1, B] Messenger for any of the above Driver for any of the above [See column IV]	[Age and school certificate can be issued to child who can not read and write simple sentences only in city or town where there is a public or parochial evening school and while such school is in session]
	D 14 to 16 (if child can not read and write simple sentences)	Any occupation [See column IV]	Town or city where a public evening school is maintained
INDIANA Burns' Annotated Statutes 1914 s 6675, 6677, 6678 (as amended by 1915 C 77), 6682 [See Table 2, A, for requirement of completion of fifth grade for employment from 14 to 16 in any occupation during school hours]	A 7 to 14 *Exemptions:* If physically or mentally unfit to attend school, upon certificate from reputable licensed practicing physician		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire school session			1. Duty Truant officers: Must report all violations to board of education or board of directors and prosecute "all persons who shall appear to be guilty of such violation" 2(a). Each offense Minimum—$5 Maximum—$20	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
	Regular attendance certified weekly by principal and teacher of evening school		1. Duty State factory inspector and his assistants and deputies under his supervision School board or local school authorities: Must report to State factory inspector complaints made to them of violations in employments listed in C-III, omitting "hotel" 2(b). Each offense Minimum—$5 Maximum—$100	C
	Regular attendance		1. Same as in C, above 2. Same as in C, above	D
Entire common school term			1. Duty State board of truancy Attendance officers: Must enforce act; May inspect establishments where children are employed 2(a). Any offense Minimum—$1 or $1 and imprisonment for 2 days Maximum—$25 or $25 and imprisonment for 90 days	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act		
	Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
INDIANA—Continued	B 14 to 16 *Exemptions:* If regularly employed in useful employment or service during school hours or lawfully employed in gainful service [See note in column I] Other exemptions same as in A, above		
B A S 1914 s 6641k	C 14 to 16 (if engaged in regular employment)	Any occupation [See column IV]	(1)
IOWA Code 1897 Supplement 1913 s 2823–a, 2823–b, 2823–e, 2823–f, 2823–i [The law tabulated in A and B applies to children "of the age of 7 to 16 years inclusive"] [2]	A 7 to 14 [See note in column I] *Exemptions:* (1) If not in proper physical or mental condition to attend school, proof of such condition to be furnished by affidavit of parent or guardian (2) If residing more than 2 miles from any school by nearest traveled road, unless public transportation is provided (3) If excused for sufficient reasons by any court of record or judge thereof (4) If attending religious service or receiving religious instruction		
	B 14 to 16 [See note in column I] *Exemptions:* (1) On completion of eighth grade (2) If regularly employed Other exemptions same as in A, above		
KANSAS General Statutes 1909 s 7736, 7737, 7741 [The law tabulated in A to C, inclusive, applies to children "between the ages of 8 and 15 years, inclusive"] [3]	A 8 to 14 [See note in column I] *Exemptions:* (1) Upon certificate of graduation from county common schools or certificate of admission to city high school (2) If physically or mentally incapacitated for school work, such incapacity to be decided by physician's examination if school authorities so desire (3) On temporary excuse from board of directors of country district or board of education of city of first or second class in extreme cases of emergency or domestic necessity		

[1] In city, town, or township where the local board of education or township trustee has established approved vocational schools for the instruction of youths over 14 engaged in regular employment, in part-time classes, and has formally accepted the provisions of this section [s 6641k]

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
		5 hours per week between 8 a. m. and 5 p. m. Attendance may be required by local board of education or township trustee	1. [School officials who establish vocational schools are authorized to "require" attendance—See column IV] 2. [No specific provision]	C
24 weeks in each school year (In any city of the first or second class entire school year may be required by board of school directors)			1. Duty Director or president of board of directors Truant officers 2(a). Each offense Minimum—$3 Maximum—$20	A
[Same as in A, above]			1. Same as in A, above 2. Same as in A, above	B
Entire session			1. Duty Truant officers 2(a). Each offense Minimum—$5 Maximum—$25	A

[1] Under a former section of which the section here quoted is an amendment, "to 14 years"—now "to 16 years"—can not be construed to extend beyond the time when the child becomes 14 years of age.—Attorney General (1904)

[2] The ages are from the time the child becomes 8 years old until he becomes 15 years old.—State Superintendent of Public Instruction (1913)

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
KANSAS—Continued	B 14 to 15 [See note in column I] *Exemptions:* If able to read and write English and regularly employed for his own support or the support of those dependent on him, child is partially exempted—See provisions in C, below Other exemptions same as in A, above, excluding subdivision (3)		
	C 14 to 15 (if able to read and write English and regularly employed for his own support or the support of those dependent on him) [See note in column I] *Exemptions:* Same as in A, above, excluding subdivision (3)		
KENTUCKY Statutes 1915 s 4426a.5, 4432, 4449, 1523, 4521a.1–4521a.4	A "Between the ages of 7 and 12 years, inclusive" *Exemptions:* On excuse by county board of education upon satisfactory showing to county superintendent of schools that child is not in proper physical or mental condition to attend school		"Within the boundary of the county school district law"
St 1915 s 2978c.1, 2978c.2, 2978c.4, 2978c.6, 2978c.7, 4426a.5, 4432, 4449, 1523 [The law tabulated in B and C applies to children "between the ages of 7 and 16 years inclusive"]	B 7 to 14 [See note in column I] *Exemptions:* On excuse by local board of education or school board upon certificate from health officer that child is not in proper physical or mental condition to attend school		Any city of first, second, third, or fourth class
	C 14 to 16 [See note in column I] *Exemptions:* Child having employment certificate Other exemptions same as in B, above		Same as in B, above
LOUISIANA 1910 A 222 s 1 (as amended by 1912 A 232), 3, 5–7 Wolff's Revised Laws Supplement 1904–1908 v 3 p 230; 1908 A 48 s 1	A "Between the ages of 8 and 14 years, inclusive" *Exemptions:* On excuse by attendance or truant officers upon satisfactory evidence of one of the following reasons: (1) Completion of elementary school course; (2) If public school facilities within 20 city blocks of child's home are not adequate to accommodate such child; (3) If bodily or mental condition is such as would prevent or render inadvisable attendance at school or application to study (this excuse valid for not more than 3 months)		Parish of Orleans

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
8 consecutive weeks			1. Same as in A, above 2. Same as in A, above	C
Entire session			1. Duty Subdistrict trustees or other local school officers, and county boards of education: Upon complaint of teachers 2(a). First offense Minimum—$5 Maximum—$20 2(a). Subsequent offense Minimum—$10 Maximum—$50	A
Same as in A, above			1. Duty Truant officers: Have duty of enforcement; For powers of inspection, see Table 2, A-IX] 2(a). First offense Maximum—$25 2(a). Subsequent offense Maximum—$100 or imprisonment for 50 days, or both	B
Same as in A, above			1. Same as in B, above 2. Same as in B, above	C
Entire session			1. Duty Attendance or truant officers: Have duty of enforcement; May inspect establishments where children may be employed 2(a). First offense Maximum—$5 2(a). Subsequent offense Maximum—$10	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
LOUISIANA—Continued	B 14 to 16 *Exemptions:* If regularly and lawfully engaged at least 6 hours each day in useful employment or service Other exemptions same as in A, above		Same as in A, above
1914 A 91 s 1, 2	C 8 to 14 *Exemptions:* (1) If physically or mentally unable or unfit to attend school (2) If the sole dependence of infirm persons or a mother or sisters in necessitous circumstances, the same to appear from a certificate signed by local superintendent of schools		Any city of over 25,000, except Parish of Orleans
MAINE Revised Statutes 1903 C 15 s 37 (as amended by 1911 C 121), 49 (as amended by 1909 C 57), 51 (as amended by 1913 C 79), 96 (as amended by 1909 C 87) 1915 C 327 s 2	A 7 to 14 *Exemptions:* (1) On excuse from superintending school committee or local superintendent of schools, or teachers acting under direction of either, for necessary absence (2) Superintending school committee may exclude child whose physical or mental condition makes attendance inexpedient		
	B 14 to 15 *Exemptions:* Child who has "work permit" [For educational and other requirements therefor, see Tables 2 and 3] Other exemptions same as in A, above		
	C 15 to 16 *Exemptions:* If able to read and write simple English sentences Other exemptions same as in B, above		
	D 16 to 17 *Exemptions:* If able to read and write simple English sentences Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
4 months if separate public schools for the races are open for that time; otherwise, entire "public-school term"			1. [No specific provision] 2(a). Any offense Minimum—$10 Maximum—$100	C
Entire session			1. Duty Truant officers: Shall put truant child in school; Shall investigate violations, report to superintending school committee, and, if so directed by said committee or by local superintendent of schools, prosecute offenders; May inspect manufacturing, mechanical, mercantile, and other business establishments during school hours when so directed by above superintendent or committee 1. Power only Agents appointed by State superintendent of schools for townships 2(a). Each offense Maximum—$25 or imprisonment for 30 days [For slightly lower penalty for person responsible for truant, see R S 1903 C 15 s 53 (as amended by 1905 C 48)]	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Same as in A, above			1. Same as in A, above 2. Same as in A, above	C
Same as in A, above			1. Same as in A, above 2. Same as in A, above	D

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
MARYLAND Annotated Code 1911 v 3 (1914) art 77 s 153, 153A, 154–157, 159, 160, 166 [The amending act—chapter 173 of the Acts of 1912—provides in section 4 that "nothing in this act [s 153–172] shall be taken to apply to Howard, Kent, Anne Arundel, Worcester, St. Marys, and Somerset Counties, but the existing laws which this act undertakes to repeal and reenact shall remain in force as far as they now apply to the said * * * counties" enumerated above. The act of 1902, which this act repealed and reenacted, did not apply to the counties herein mentioned; thus it would appear that the compulsory school law can not apply to these counties]	A 8 to 14 *Exemptions:* (1) On excuse by local superintendent or principal of school or his deputy, for necessary absence (2) If mental or physical condition is such as to render instruction inexpedient or impracticable		Baltimore city
	B 8 to 14 *Exemptions:* Same as in A, above		Any county (excluding Baltimore city) where board of school commissioners shall approves 153A of law,[1] and appoint attendance officer or officers for the enforcement as provided in 1913 C 173; but not to apply to certain counties [See note in column I]
	C 14 to 16 *Exemptions:* If regularly and lawfully employed to labor at home or elsewhere Other exemptions same as in A, above		Same as in A, above
	D 14 to 16 *Exemptions:* Same as in C, above		Same as in B, above
MASSACHUSETTS Revised Laws 1902 C 44 s 1 (as amended by 1913 C 779 s 1 and by 1915 C 81 s 1), 2 (as amended by 1913 C 779 s 2 and by 1915 C 81 s 2) R L 1902 C 46 s 13 (as amended by 1913 C 779 s 12)	A 7 to 14 *Exemptions:* If physical or mental condition is such as to render attendance inexpedient or impracticable		
	B 14 to 16 *Exemptions:* If child has such ability to read, write, and spell in English as is required for completion of fourth grade and either has employment certificate and is engaged in some regular employment or business for at least 6 hours per day, or has written permission from local school superintendent to be employed at home Other exemptions same as in A, above		

[1] On Jan. 1, 1915, the law was in force in the following counties: Dorchester, Frederick, Harford, Montgomery, Baltimore, Caroline, and Talbot

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Entire school year			1. Duty Attendance officers: Have duty of enforcement; May inspect all establishments where minors are employed 2(a). Each offense Maximum—$5	A
Period (at least 4 months) prescribed by local board of county school commissioners			1. Same as in A, above 2. Same as in A, above	B
Same as in A, above			1. Same as in A, above 2. Same as in A, above	C
Same as in B, above			1. Same as in A, above 2. Same as in A, above	D
Entire session			1. Duty Attendance officers: Have duties and powers as specified in D, below 2(a). Any offense Maximum—$20	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
MASSACHUSETTS—Continued R L 1902 C 42 s 11 (as amended by 1914 C 590) 1913 C 467 s 1, 3, 4	C 16 to 21 (if illiterate) *Exemptions:* If physical or mental condition is such as to render attendance at school harmful or impracticable		Same as in D, below
R L 1902 C 42 s 11 (as amended by 1914 C 590) R L 1902 C 46 s 13 (as amended by 1913 C 779 s 12) R L 1902 C 106 s 8 (as amended by 1907 C 413) 1909 C 514 s 17 (as amended by 1912 C 191), 62 (as amended by 1913 C 779 s 20), 63 (as amended by 1913 C 779 s 21), 64 (as amended by 1913 C 779 s 22), 66 (as amended by 1913 C 779 s 23) 1912 C 726 s 5, 11	D 16 to 21 (if child has not such ability to read, write, and spell in English as is required for completion of fourth grade)	Manufacturing establishment Mechanical establishment Mercantile establishment Factory Workshop [See column IV]	Where a public evening school is maintained (Evening schools must be maintained in town or city where 20 or more educational certificates have been issued during preceding year to persons not possessing such ability to read, write, and spell in English as is required for completion of fourth grade)
1909 C 514 s 17 (as amended by 1912 C 191), 57 (as amended by 1913 C 779 s 15) 1913 C 805 s 1, 4–7	E 14 to 16 (if regularly employed 6 or more hours per day and having employment certificate)	Any occupation or employment in which employment certificates are issued [See column IV]	Where school committee has established continuation schools,[1] committee, with consent of State board of education, may require attendance

[1] Such schools have been established in Boston and attendance is compulsory

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
[See column VI]	Attendance during entire session or at day school		1. [There is no specific provision, but the act is enforced by the attendance officers] 2. Same as in A. above	C
[See column VI]	Child must be a regular attendant at day or evening school and present to employer each week record of such attendance		1. Duty Inspectors of State board of labor and industries Attendance officers: Have duty of enforcement; [For powers of inspection, see Table 2, A–IX] 2(b). Each offense Maximum—$100	D
		4 hours per week, between 8 a. m. and 6 p. m. of working-day, and reckoned as part of legal working hours. Attendance may be required—See column IV	1. Duty Local superintendent of schools or his deputy 2(b). Each offense Minimum—$10 Maximum—$100 (Above penalty is incurred for employing child after official notification that he is not attending school) (Employment certificate may be revoked for noncompliance with law)	E

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishment *Exemptions* III	Localities IV
MICHIGAN Howell's Annotated Statutes 1913 s 9908, 10110 (as amended by 1913 No 47), 10111–10113 [For law providing for poor relief for child unable to attend school on account of poverty, and requiring attendance, see H A S 1913 s 3578–3581]	A 7 to 14 *Exemptions:* (1) If physically unable to attend (Truant officer may require certificate from competent physician) (2) If under 9 years of age and living more than 2½ miles from nearest public school, unless transportation is provided		
	B 14 to 16 *Exemptions:* (1) Child who has completed eighth grade, secured permit required by law for employment (which, however, can not be secured under 15—See provisions in Table 2, A, and Table 3, A), and is "regularly employed at some lawful work if physically able to do so" (2) If services are essential to support of parents, on excuse from county commissioner of schools or county superintendent of schools, on the recommendation of district board of education, which board "shall certify to the facts" [If such child has obtained employment permit (see provisions in Table 2, A, and Table 3, A) he must return to school if unemployed—See Table 3, A–IV] (3) If physically unable to attend (Truant officer may require certificate from competent physician)		
MINNESOTA General Statutes 1913 s 2979–2982, 2984–2986, 3819, 3847	A 8 to 14 *Exemptions:* On excuse from district school board upon any of the following conditions being shown to its satisfaction: (1) On completion of the studies ordinarily required in the eighth grade; (2) If there is no public school within reasonable distance of child's residence, or if conditions of weather or travel make attendance impossible; (3) If child's bodily or mental condition is such as to prevent attendance at school or application to study for period required If attending upon instruction according to the ordinances of some church		[See column V]
	B 14 to 16 *Exemptions:* [See column V for partial exemption in certain localities] Other exemptions same as in A, above		[See column V]

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire school year			1. Duty Truant officers or police officers acting as truant officers 2(a). Any offense Minimum—$5 or imprisonment for 2 days, or both Maximum—$50 or imprisonment for 90 days, or both	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Entire school session except that in districts where terms of different schools are of different lengths, attendance may be for shorter term			1. Duty Truant officers: Have duty of enforcement; May inspect all places where labor is employed State department of labor and industries: Shall assist in enforcement; Has powers of truant officers [See G S 1913 s 2986]; May revoke excuses granted by district school board [see column II] if granted without proper or sufficient cause City or county superintendent, or superintendent of district maintaining a high school, or principal of graded school: Shall report violations to county attorney and file complaint upon his request 2(a). Any offense Maximum—$50 or imprisonment for 30 days	A
Same as in A, above, except that in places other than cities of the first or second class, child whose help may be required in any permitted occupation in or about the home of his parent or guardian may be excused from attendance between Apr. 1 and Nov. 1			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
MISSISSIPPI [No provisions]			
MISSOURI Revised Statutes 1909 v 3 s 10790, 10896, 10897 (as amended by 1911 p 132), 10898, 10901, 10906, 10907 (as amended by 1911 p 132), 10908, 10909, 10912	A 8 to 14 *Exemptions:* Child may be temporarily excused if any of the following facts be shown to satisfaction of court of competent jurisdiction: (1) Child has certificate of graduation from common-school course; (2) Parent or guardian, through extreme destitution, is unable to provide proper clothing; (3) There is no public school taught within 2½ miles of child's residence by nearest traveled road; (4) Child is mentally or physically incapacitated to attend school for the whole or any part of required period		
	B 14 to 16 *Exemptions:* If actually, regularly, and lawfully engaged in useful employment or service [In places of 500,000 or over (St. Louis) it is specified that this employment shall be for at least 6 hours per day] Other exemptions same as in A, above		
MONTANA Revised Codes 1907 s 1660, 1669 1913 C 76 s 512, 1100, 1102-1105 [For provision requiring poor relief to be given child unable to attend school on account of poverty and requiring subsequent attendance of such child, see 1913 C 76 s 1108]	A 8 to 14 *Exemptions:* (1) On excuse from county superintendent of schools when in his judgment the distance makes such attendance an undue hardship (2) On excuse from city or district superintendent of schools, clerk of board of trustees, or principal of private or parochial school on satisfactory showing that bodily or mental condition does not permit its attendance at school (Refusal of school official to grant exemption for above excuses is subject to appeal to district court of the county) [Child under 14 who "has successfully completed" public-school studies would appear to be exempt if employed in occupations from which he is not excluded by minimum age laws (see Table 1) since such child can obtain an age and schooling certificate —See Table 2, A]		
	B 14 to 16 *Exemptions:* If able to read and write the English language and engaged in some regular employment Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Three-fourths of time school is in session except in cities of 500,000 or over (St. Louis) where attendance for entire school session is required			1. Duty Attendance officers: Have duty of enforcement; May inspect office, factory, or business house where children under 16 are employed Clerk of district: Where there are no attendance officers 2(a). Any offense Minimum—$10 or imprisonment for 2 days, or both Maximum—$25 or imprisonment for 10 days, or both	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Entire school session			1. Duty Truant officers: Have duty of enforcement; May inspect all places where children are employed State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 2(a). Any offense Minimum—$5 Maximum—$20	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
NEBRASKA Revised Statutes 1913 s 3585, 6924–6926, 6928	A 7 to 14 *Exemptions:* (1) Because of physical or mental incapacity for school work, such incapacity, if school authorities so desire, to be determined by physician employed by them (2) If living more than 2 miles from school by the nearest practicable road unless free transportation is furnished		Other than city or metropolitan city school district
	B 14 to 15 *Exemptions:* If legally and regularly employed for his own support or the support of those actually dependent upon him [For school attendance which may be required of these children if nongraduate, and which is obligatory under certain conditions, see provisions in E, below] Other exemptions same as in A, above		Same as in A, above
	C 7 to 14 *Exemptions:* Same as in A, above		City or metropolitan city school district
	D 14 to 16 *Exemptions:* Same as in B, above		Same as in C, above
R S 1913 s 3576, 3582, 3583, 3585 [For law according to which evening or other school attendance equivalent to the evening-school attendance tabulated in column IV, may be required of child 14 to 16 in city and metropolitan city school districts, and 14 to 15 in other places, if he is "legally and regularly employed for his own support or the support of those actually dependent upon him," see R S 1913 s 6924–6926]	E 14 to 16 (if child has not completed eighth grade)	Manufacturing establishment Mercantile institution Theater Concert hall Place of amusement Store Office Hotel Laundry Bowling alley Passenger or freight elevator Factory Workshop Messenger for the above Driver for the above [See column IV]	City or village where public evening school is maintained for not less than 20 weeks per year, 3 evenings per week, and 2 hours per evening (Where such school is not maintained as above, the employment certificate necessary for employment in these occupations can not be issued to child who has not completed eighth grade)

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SCHOOL ATTENDANCE—Continued

notes on pp. 467-475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
12 weeks; where school term is longer, two-thirds of term, but in any case for not less than 12 weeks			1. Duty Truant officers: Have duties as specified in E, below County superintendent of public instruction: On complaint of school authorities 2(a). Any offense Minimum—$5 Maximum—$25	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Entire school year			1. Same as in A, above 2. Same as in A, above	C
Same as in C, above			1. Same as in A, above 2. Same as in A, above	D
	Regular attendance certified weekly by teacher of school attended		1. Duty State deputy commissioner of labor Truant officers: Have duty of enforcement; Shall inspect establishments enumerated in Table 2, A-III 1. Power only Any person: May cause enforcement 2(b). Each offense Maximum—$50	E

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
NEVADA [For powers of legislature to pass compulsory school-attendance laws, see constitution art 11 s 2] Revised Laws 1912 s 3365 (as amended by 1913 C 113), 3443, 3445–3447, 3449	A 8 to 16 *Exemptions:* (1) Upon completion of eighth grade (2) Upon presentation to district board of school trustees of satisfactory evidence that child's labor is necessary for its own or its parent's support [But 1913 C 232 s 1 fixes a minimum age of 14 for any employment during school hours—See Table 1, A] (3) When residence, in judgment of deputy superintendent, is located at such a distance from a public school as to render attendance impracticable or unsafe (4) On certificate from any reputable physician that physical or mental condition is such as to prevent or render inadvisable attendance at school or application to study [See Tables 2 and 3, A, for provisions for the granting of employment permit, which might be construed to constitute an exemption from school attendance]		
NEW HAMPSHIRE Public Statutes 1901 C 93 s 14 (as amended by 1913 C 221), 15 (as amended by 1901 C 61), 18 P S 1901 C 92 s 17, 18 P S 1901 C 92 p 301 (as amended by 1905 C 91) [For power of districts to make by-laws compelling children 6 to 16 to attend school, see P S 1901 C 93 s 6]	A 8 to 14 *Exemptions:* On excuse from district school board because physical or mental condition is such as to prevent attendance		Districts "in which a public school is annually taught"
	B 14 to 16 *Exemptions:* On completion of course of study prescribed for elementary schools Other exemptions same as in A, above		Same as in A, above
P S 1901 C 92 s 18 P S 1901 C 93 s 12–13 (as amended by 1901 C 61), 15 (as amended by 1901 C 61) 1911 C 198 s 2 [The application of the provision tabulated in C would appear to be limited in most cases to minors over 16—See provisions in A and B, above, and Table 2, A]	C Any minor (if unable to read and write simple English sentences) [See note in column I] *Exemptions:* On permit from local superintendent of schools or school board if minor's physical condition would render school attendance in addition to daily labor prejudicial to health, provided that a satisfactory certificate to this effect from regular practicing physician be presented	Manufacturing establishment Mechanical employment Mercantile employment Any other employment [See column IV]	Where a free public evening school is maintained

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Entire school session			1. Duty Attendance officers or other school officers: Shall arrest truant child and deliver him to teacher or parent, etc.; May file complaint; May inspect establishments where minor children are employed, to discover violations (other duties of attendance officers are prescribed by district board of school trustees) Peace officers: Shall arrest and deliver to teacher or parent, etc., truant child reported by school officials District board of school trustees: On complaint of any person 1. Power only Any taxpayer: May file complaint 2(a). First offense Maximum—$10 or imprisonment for 5 days, or both 2(a). Subsequent offense Minimum—$10 or imprisonment for 5 days, or both Maximum—$50 or imprisonment for 25 days, or both	A
Entire school session			1. Duty Truant officers, under the direction of the district school board: Have duties of inspection same as duty of enforcement in C, below District school boards 1. Power only State superintendent of public instruction or his deputy 2(a). First offense Fine of $10 2(a). Subsequent offense Fine of $20	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
[See column VI]	Regular attendance unless child attends day school		1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers: As to employment under 16 in manufacturing, mechanical, and mercantile establishments if required by district school board; in other establishments, as to employment under 16 during school hours District school boards 1. Power only State superintendent of public instruction or his deputy 2(b). Each offense Maximum—$50	C

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
NEW JERSEY 1914 C 223 s 2, 4, 15–18 1913 C 221 s 4 (as amended by 1915 C 224) [Parent or guardian "willfully failing to provide * * * regular school education as required by law" incurs a maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2]	A 7 to 14 *Exemptions:* If it be shown to the satisfaction of the district board of education that child's mental or bodily condition is such as to prevent attendance at school		
	B 14 to 16 *Exemptions:* If child has been granted an "age and schooling certificate" (see Table 2, A) and is regularly and lawfully employed in some useful occupation or service (If unemployed, he must return to school) Other exemptions same as in A, above		
NEW MEXICO [For constitutional provision concerning compulsory school-attendance requirements, see constitution art 12 s 3] Statutes 1915 s 4857, 4858, 4960–4962	A 7 to 14 *Exemptions:* (1) On certificate from regular practicing physician that child is physically unfit for school duties (2) If living more than 3 miles from a public school		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Entire school session			1. Duty Attendance officers: Have duty of enforcement; May inspect mercantile establishments Sheriff and his officers, all police officers and constables: Shall assist attendance officers in the performance of their duty 2(a). Any offense Maximum—$50 or imprisonment for 1 year, or both (The above penalty is found in 1914 C 223 s 15. The following penalty is found in 1913 C 221 s 4, as amended by 1915 C 224) 2(a). First offense Maximum—$5 2(a). Subsequent offense Maximum—$25 [See note in column I]	A
Same as in A, above			1. Duty Same as in A, above, and also, Supervisor of school exemption certificates (officer who issues employment certificates): Shall enforce attendance of child having age and schooling certificate who fails to secure employment 2. Same as in A, above, including bracketed note	B
Entire school year			1. Duty School directors or local school board County superintendents: Shall require school directors to enforce law, and have "general supervisory powers" Presiding judge of district court: Must, at each session of the court, give substance of law as a special charge to grand jury 2(a). Any offense Minimum—$5 or imprisonment Maximum—$25 or imprisonment for 10 days	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
NEW YORK Consolidated Laws 1910 v 8 Education C 16: Art 23 s 621 (as amended by 1911 C 710 and by 1913 C 511), 624, 625, 632, 633 subdivision 3, 636; Art 24 s 650 (as amended by 1914 C 480), 651, 652 Greater New York Charter 1901 C 461 s 1069 subdivision 8 (as added by 1914 C 479 s 1)	A 7 to 14 *Exemptions:* If not in proper physical or mental condition to attend school		City or school district having a population of 5,000 or over and employing a superintendent of schools
	B 14 to 16 *Exemptions:* If regularly and lawfully engaged in useful employment or service and having an employment certificate Other exemptions same as in A, above		Same as in A, above
	C 8 to 14 *Exemptions:* Same as in A, above		Elsewhere than place specified in A, above
	D 14 to 16 *Exemptions:* If having proper working papers and regularly and lawfully engaged in useful employment or service Other exemptions same as in A, above		Same as in C, above
C L 1910 v 8 Education C 16: Art 23 s 622 (as amended by 1913 C 748), 628 (as amended by 1913 C 748)	E Boy 14 to 16 (if in possession of an employment certificate) *Exemptions:* If holding a certificate of graduation from the elementary school or the preacademic certificate issued by the regents, or certificate of completion of an elementary course issued by the education department, or if attending continuation school—See provisions in F, below	Any occupation [See column IV]	Any city of first or second class
	F 14 to 16 (if regularly employed and if in possession of an employment certificate) *Exemptions:* If holding a certificate of graduation from the elementary school or a preacademic certificate of completion of the elementary course issued by the education department, or if receiving instruction approved by the board of education	Any occupation [See column IV]	City or district where part-time or continuation schools are established and local board of education requires attendance

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire session, which shall not be less than 160 days			1. Duty State commissioner of education: Shall supervise enforcement Superintendent of schools: Shall supervise enforcement within city, union free school district, or common-school district whose limits include in whole or in part an incorporated village Attendance officers: May inspect any establishment; Shall perform duties in connection with enforcement prescribed by superintendent of schools in localities specified above, and by Bureau of Compulsory Education in New York City 2(a). First offense Maximum—$5 or imprisonment for 5 days 2(a). Subsequent offense Maximum—$50 or imprisonment for 30 days, or both	A
Entire session			1. Same as in A, above 2. Same as in A, above	B
Same as in B, above			1. Same as in A, above 2. Same as in A, above	C
Same as in B, above			1. Same as in A, above 2. Same as in A, above	D
	6 hours each week for 16 weeks		1. Same as in A, above 2(b). First offense Minimum—$20 Maximum—$50 2(b). Subsequent offense Minimum—$50 Maximum—$200	E
		Not less than 4 hours nor more than 8 hours per week for 36 weeks, between 8 a. m. and 5 p. m. of any workday. Attendance may be required—See column IV	1. Same as in A, above 2. Same as in E, above	F

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act		
	Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
NORTH CAROLINA [For powers of general assembly to enact compulsory school-attendance laws, see constitution art 9 s 15] Pell's Revisal of 1908 Supplement 1913 C 89 s 4092a(1) as amended by 1915 C 236 s 3(a), 4092a(2), 4092a(4), 4092a(5) as reenacted by 1915 C 236 s 3 (b), 4092a(6) as reenacted by 1915 C 236 s 3(c), 4092a(8), 4092a(9), 4092a(11), 4148 as reenacted by 1915 C 236 s 1(f) [For exemption from attendance if child has not necessary books and clothing, and requirement for attendance after aid has been provided, by charity or otherwise, see P R 1908 Supp 1913 C 89 s 4092a(2)]	A 8 to 12[1] *Exemptions:* (1) If because of extreme poverty services of child are necessary for his own support or support of his parents, as attested by affidavits of parents and such witnesses as attendance officers may require (2) If living 2½ miles by the nearest traveled route from the schoolhouse (3) If physical or mental condition, as attested by "legally qualified physician before any court having jurisdiction under this act," renders attendance impracticable or inexpedient		All counties of the State except Mitchell and Polk Counties, except that this act shall not affect or repeal any existing local laws requiring compulsory school attendance
	B 8 to 15 *Exemptions:* Same as in A, above		Mitchell County
	C 7 to 15 *Exemptions:* Same as in A, above		Polk County
NORTH DAKOTA Compiled Laws 1913 s 1195, 1342, 1344, 1345	A "Of or between the ages of 8 and 15" *Exemptions:* On excuse from district school board or local board of education when it is shown to their satisfaction that one of the following reasons exists: (1) If child has acquired the branches of learning taught in the public schools; (2) If "child is actually necessary to the support of the family;" (3) If physical or mental condition (as declared by a licensed physician, if required by the board) is such as to render such attendance inexpedient or impracticable; (4) If no school is taught the requisite length of time within 2½ miles of residence by nearest route, unless free transportation has been provided		

[1]The county board of education or the school board of trustees of any town of 2,000 or more may extend this age to 13 or 14 years

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parents, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
4 months of the school term of each year			1. Duty Attendance officers: Have duty of enforcement; May inspect any office, factory, or business house employing children to enforce these provisions, and require birth certificate or affidavit of age if there is doubt as to child's age 1. Power only County boards of education: May "make such rules as they may deem best to secure attendance of all children between the ages of 8 and 12 years" 2(a). Any offense Minimum—$5 Maximum—$25	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Same as in A, above			1. Same as in A, above 2. Same as in A, above	C
Entire school session			1. Duty Truant officers County superintendent of schools or, in special or independent districts, the superintendent or principal of schools 2(a). First offense Minimum—$5 Maximum—$20 2(a). Subsequent offense Minimum—$10 Maximum—$50	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
OHIO Page and Adams' Annotated General Code 1912 s 871-22 (as added by 1913 p 95), 871-24 (as added by 1913 p 95), 980, 6250, 7762, 7763 (as amended by 1914 p 232), 7764 (as amended by 1913 p 864), 7766 (as amended by 1914 p 129), 7767 (as amended by 1913 p 864), 7770 (as amended by 1913 p 864), 7771-7773 (as amended by 1914 p 225), 7794, 12974, 12977, 12982, 12983, 12986 [For provisions for the granting of such relief as will enable him to attend school to child unable to do so because absolutely required to work for the support of himself or others, see P & A A G C 1912 s 7777]	A Boy 8 to 15 Girl 8 to 16 *Exemptions:* On excuse from superintendent of public schools, or by principal of private or parochial school (subject, upon refusal, to appeal to judge of juvenile court of county), upon satisfactory showing that the bodily or mental condition of child does not permit of its attendance		
	B Boy 15 to 16 *Exemptions:* If he has passed a satisfactory sixth-grade test in reading, spelling, writing, English grammar, geography, and arithmetic and is engaged in some regular employment. If unemployed, he must return to school within 2 weeks; if, in opinion of local superintendent of schools or his deputy, employment is lost by reason of persistent, willful misconduct or continuous inconstancy, he may be placed in school until the close of current school year Other exemptions same as in A, above		
	C [Boy] 15 to 16 *Exemptions:* Child who has satisfactorily completed eighth grade	Engaging in regular employment [See column IV]	In places where district board of education establishes part-time day schools for children over 15 who are engaged in regular employment[1]

[1] Such schools have been established in Cincinnati, Dayton, and possibly in other places

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
Full time that the school attended (public, private, or parochial) is in session, which shall in no case be less than 28 weeks			1. Duty Truant officers: Have duty of enforcement; May inspect all places where children are employed State industrial commission 2(a). Any offense Minimum—$5 Maximum—$20 (Above penalty is incurred for not sending to school child 8 to 14 or child 14 to 16 if it has not passed a satisfactory fifth-grade test or is not regularly employed, unless parent "proves his inability so to do." The compulsory school law was amended in 1913, making the age period for boys from 8 to 15 and for girls from 8 to 16, but the penalty was not amended. The general penalty, however—a maximum fine of $50—provided by section 12983 of the Code, would appear to apply to other violations) (Any person convicted of a violation of any law relating to the compulsory education of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
		8 hours per week, between 8 a. m. and 5 p. m., during school term	1. Duty State industrial commission Truant officers: Have duties and powers as specified in A, above 2(b). Any offense Minimum—$25 (for officer, etc., of corporation) Maximum—$50 (for any person) (Any person convicted of a violation of any law relating to the compulsory education or employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	C

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
OKLAHOMA [For duty of legislature to enact compulsory school-attendance laws, see constitution art 13 s 4] 1913 C 219 art 13 s 1, 2, 5 1913 C 219 art 9 s 1, 3, 6, 8 [For provision granting scholarship to child whose wages are necessary for support of widowed mother, see 1913 C 219 art 13 s 4]	A 8 to 16 *Exemptions:* If mentally or physically unable to attend school, such disability to be determined by the school district board or board of education upon certificate from a duly licensed and practicing physician		
OREGON Lord's Oregon Laws 1910 s 4119 (as amended by 1911 C 243), 4120, 4121 (as amended by 1911 C 243), 4123 (as amended by 1911 C 243), 4124, 4125, 4127, 4128	A "Between and including the ages of 9 and 15 years of age"[1] *Exemptions:* (1) Upon acquirement of the ordinary branches of learning [taught in the grammar grades of the public schools], to be determined by district school board (2) If physically unable to attend school, on certificate of competent physician presented to truant officer (3) Child 9 to 10 living more than 1½ miles, child over 10 more than 3 miles, from a public school by the nearest traveled road if transportation is not furnished		
L O L 1910 s 5025 (as amended by 1911 C 138), 5032 (as amended by 1911 C 138), 5034 (as amended by 1911 C 138) [The provision tabulated in B is amended by implication by section 4119 (as amended by 1911 C 243), as given in A, above]	B 9 to 16 *Exemptions:* Child 14 to 16 legally employed in some lawful work; if unemployed, child must return to school		

[1] "Between and including the ages of 9 and 15 years" has been ruled upon by the attorney general's office as ending with the fifteenth anniversary of the child's birth

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
66 per cent of entire school session [The constitution—art 13 s 4—directs the legislature to provide for compulsory attendance for "at least 3 months"]			1. Duty School district board or resident of district: Must file complaint of violations with township justice of the peace County superintendent of public instruction: On complaint of teachers 2(a). Any offense Minimum—$10 Maximum—$25	A
Term of the number of months public school is held annually			1. Duty Truant officers: Have duty of enforcement; [For other duties, see Table 2, A-IX] Justices of the peace: Shall prosecute upon complaint of truant officers 2(a). Any offense Minimum—$5 or imprisonment for 2 days, or both Maximum—$25 or imprisonment for 10 days, or both	A
Entire school term			1. Duty State board of inspectors of child labor or deputy of said board: May inspect factories, workshops, and mercantile establishments; Shall report violations therein to school authorities and to district attorney 2(a). Any offense Minimum—$5 Maximum—$25	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
PENNSYLVANIA 1911 Pamphlet Laws 309 s 1414; Stewart's Purdon's Digest Supplement 1912 p 113 1911 P L 309 s 1415, 1416, 1418; S P D Supp 1912 p 114 1911 P L 309 s 1423; S P D Supp 1912 p 115 1911 P L 309 s 1425; S P D Supp 1912 p 116 (as amended by 1915 P L 228) 1911 P L 309 s 1428; S P D Supp 1912 p 116 1911 P L 309 s 1432, 1434; S P D Supp 1912 p 117	A 8 to 14 *Exemptions:* (1) On excuse from district board of school directors upon satisfactory evidence that mental, physical, or other urgent reasons (term "urgent reasons" shall be strictly construed) prevent school attendance or application to study (2) If child lives 2 miles from public school by the nearest traveled road and free transportation is not provided		
	B 14 to 16 *Exemptions:* If child has an employment certificate issued according to law, is able to read and write, and is regularly engaged in useful and lawful employment or service during the time schools are in session Other exemptions same as in A, above		
1915 Pamphlet Laws 286 s 3, 4, 23, 24 [The act tabulated in C is in effect Jan. 1, 1916]	C 14 to 16 *Exemptions:* Where school is not "within reasonable access" to place of employment	Any occupation [See column IV]	School district in which such school[1] has been established within said district or within reasonable access to place of employment in an adjoining district
PHILIPPINE ISLANDS [No provisions]			
PORTO RICO Revised Statutes and Codes 1911 s 635 [For regulations by the provisions of a later law governing child 10 to 14 exempted from school attendance to go to work, see provisions in B and C, below]	A 8 to 14 *Exemptions:* (1) When school is not within reasonable distance from child's home or when accommodation can not be furnished at a school within reasonable distance from child's home (2) On completion of each grade of the course of study prescribed for the particular school [See note in column I]		

[1] School attended must be approved by State superintendent of public instruction. It may be conducted in the establishment where minor is employed or in a public school building or such other place as board of school directors may designate

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire term, but board of school directors, in any district of the fourth class, may reduce the period to 70 per cent of the school term			1. Duty Attendance officers: Have duty of enforcement; May inspect places where children are employed and demand employment certificates Superintendent of schools, supervising principal, attendance officer, or secretary of the board of school directors: On complaint 2(a). First offense Maximum—$2 2(a). Subsequent offense Maximum—$5	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
		8 hours per week between 8 a. m. and 5 p. m. of any day exclusive of Saturday to be considered as part of the working day or working week	1. Duty State commissioner of labor and industry Attendance officers Police officers 2(b). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both	C
[Entire session]			1. Duty Municipal authorities upon notification from the teacher or from supervising principal of the municipality 2(a). First offense Public reprimand by judicial officer before whom tried 2(a). Second offense Maximum—$5 2(a). Third offense Maximum—$10	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
PORTO RICO—Continued 1913 No 42 s 4–5 (as amended by 1913 Extraordinary Session No 139), 12–14 1913 Extraordinary Session No 139 s 6 [The provisions tabulated in B and C do not apply to children 10 to 14 who are employed in picking or gathering coffee or in planting, picking, or tending in the field any agricultural or horticultural products in company with or under the direct personal supervision of their parents, guardians, or relatives over 16 years of age]	B 10 to 14 *Exemptions:* On permission to go to work in any lucrative occupation on the following certificates [For requirements, see provisions in A to C, inclusive, Tables 2 and 3]: (1) Educational certificate from department of education stating that the following has been completed: (a) If in country, work necessary for admission to the fourth grade of the public rural schools; (b) If in town, sixth grade of the public graded schools; (2) Poverty certificate from alcalde of municipality stating that necessity (as defined) exists and authorizing employment [For possible evening-school attendance required, see provisions in C, below]; (3) Employment certificate from alcalde of municipality stating that there are no schools within a reasonable distance of community where child lives wherein accommodation can be furnished and authorizing employment [For possible evening-school attendance required, see provisions in C, below] [See note in column I]		
	C 10 to 14 (when employed on alcalde's certificate—See provisions in B and C, Tables 2 and 3) *Exemptions:* When "just cause" exists for nonattendance	Any lucrative occupation during school hours [For definition of lucrative occupation, see Table 1, A] [See column IV] *Exemptions:* [See note in column I]	Where child resides not more than 1 kilometer from a night school under the direction of the Department of Education of Porto Rico
RHODE ISLAND General Laws 1909 C 72 s 1, 3 G L 1909 C 66 s 15–17	A 7 to 14 *Exemptions:* Upon proof of any of the following facts, or presentation of a certificate from local school committee or issued under its direction setting forth that: (1) Child has completed elementary studies taught in the first 8 years of school attendance, excluding kindergarten; (2) Child's physical or mental condition is such as to render attendance inexpedient or impracticable; (3) Child is destitute of suitable clothing and parent or guardian is unable to provide same; (4) Child was excluded from school attendance "by virtue of some general law or regulation"		
	B 14 to 15 *Exemptions:* If lawfully employed at labor or at service or engaged in business Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
	Regular attendance certified monthly by teacher of evening school		1. Duty Porto Rican Bureau of Labor 2(b). First offense Minimum—$25 Maximum—$100 2(b). Subsequent offense Minimum—$100 Maximum—$1,000	C
Entire session			1. Duty Truant officers: Have duty of enforcement, under the direction of the local school committee; May inspect all places and establishments where children under 15 are employed, and demand lists and certificates of children under 16 (Factory inspectors must report names of children 14 to 16 working without certificates—see Table 2, A—to school committee) 2(a). Each offense Maximum—$20	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
SOUTH CAROLINA 1915 No 98 s 1, 2, 4–7 [For exemption from attendance in case parent is not able to provide necessary books and clothing, and requirement for attendance after aid has been provided by any means whatsoever, see 1915 No 98 s 2]	A 8 to 14 *Exemptions:* (1) If physical or mental condition, as attested by a legally qualified physician before the board of school trustees, is such as to render attendance impracticable or inexpedient (2) If residing 2½ miles from the schoolhouse by the nearest traveled route unless free transportation is provided (3) If child's services are necessary for support of himself or his parents, on account of extreme poverty, as attested by affidavit of parents and of such witnesses as the trustees of district may require (4) On temporary excuse from board of school trustees for good and sufficient reasons, said reasons and the duration of the excuse to be set forth in writing by said board [See column 5 for partial exemption in certain localities]		Any district or aggregation of adjoining districts where a majority of the qualified electors submit a petition for the adoption of this act, or where said act is adopted by majority vote at a popular election which must be ordered in any district upon a petition of one-fourth of the qualified electors and in districts containing a town of 1,500 or more inhabitants upon a petition of a majority of the board of school trustees
	B 14 to 16 *Exemptions:* (1) If actually, regularly, and lawfully engaged in useful employment or service (2) If able to read and write simple English sentences Other exemptions same as in A, above		Same as in A, above
SOUTH DAKOTA 1907 C 135 art 4 s 99, 100 1913 C 192 s 3–4 (as added by 1915 C 169) 1907 C 135 art 7 s 148 (as amended by 1915 C 170), 149	A "Between the age of 8 and 16 years, both inclusive" *Exemptions:* If child has completed 8th grade If parent or guardian shall "show" to local board of education or district school board or to court that: (1) Child has acquired the branches of learning taught in the public schools; (2) Child's physical or mental condition, as declared by a competent physician, is such as to render attendance unsafe or impracticable If in opinion of court or judge compulsory attendance "would impose conditions which would not be humane"		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire term; 4 months, or full term if term is less than 4 months, for child living in agricultural district and engaged in work at home, whether attending district or town school			1. Duty Board of school trustees: Has duty of enforcement; May inspect office, factory, or business house 2(a). First offense Minimum—$2 Maximum—$25 2(a). Subsequent offense Minimum—$5 Maximum—$25 (Each day's violation a separate offense after expiration of 3 days from notification)	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
Entire term, in absence of local regulation, but district board may decrease time to not less than 16 weeks per year after child has completed 6th grade			1. Duty Truant officers Teacher, member or agent of local board of education: Shall petition county court to inquire into violations, and case shall be tried 1. Power only Any reputable citizen: May petition as above 2(a). Any offense Minimum—$10 Maximum—$20	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
TENNESSEE Shannon's Code 1896 s 1432 1907 C 236 s 14 (as amended by 1909 C 562), 17 (as amended by 1909 C 186, 576, by 1911 C 564, and by 1915 C 48, 113) 1913 C 9 s 1-3, 6, 7	A "Between the ages of 8 and 14, inclusive" *Exemptions:* On excuse (temporary) if it be shown to court of competent jurisdiction or county or city board of education that any of the following conditions exists: (1) Completion of elementary school course (including 8 grades), on certificate of principal of school attended; (2) Inability of parent or guardian, through extreme destitution, to provide proper clothing for child (case shall be reported to poor officials); (3) If living more than 2 miles from a public school by nearest traveled road and no public transportation is provided; (4) Mental or physical incapacity to attend school		[See column V]
	B 14 to 16 *Exemptions:* If able to read and write, and actively, regularly, and lawfully engaged in useful employment or service Other exemptions same as in A, above		[See column V]
TEXAS Revised Civil Statutes 1911 art 2774 (as amended by 1915 C 121) 1915 C 49 s 1, 2, 6-9	A 8 to 12 *Exemptions:* (1) If bodily or mental condition is such as to render attendance inadvisable, upon certificate of a reputable physician (2) If living 2½ miles by direct and traveled road from nearest public school for children of the same race and color, unless free transportation is provided		
	B 12 to 14 *Exemptions:* Upon completion of 4th grade, if services are necessary for support of parent or guardian, upon submission of proper evidence to the county superintendent of public instruction Other exemptions same as in A, above		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Cohtinuation school VII	1. Enforcihg authorities—Duty; Power only 3. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
In cities of 5,000 scholastic population (by 1912 or subsequent State census) maintaining separate school system, full school term Elsewhere, 80 days, or, if school term is less than 80 days, for full school term			1. Duty Attendance officers: Have duty of enforcement; May inspect office, factory, or business house employing children under 16 and require certificate of school attendance County or city superintendents under direction of board of education 2(a). First offense Minimum—$2 Maximum—$20 2(a). Subsequent offense Minimum—$5 Maximum—$50	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
60 days, for the scholastic year beginning September 1, 1916; 80 days, for the year beginning September 1, 1917; and for the year 1918–19 and each year thereafter at least 100 days, but in no case for a longer period than the maximum term of public school of the district where child resides			1. Duty Attendance officers or school superintendents and peace officers acting as attendance officers 2(a). First offense Fine of $5 2(a). Second offense Fine of $10 2(a). Subsequent offense Fine of $25 (Each day's violation a separate offense)	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
UTAH Compiled Laws 1907 s 1906, 1962–1964, 4065	A 8 to 16 *Exemptions:* On certificate from city or county superintendent of schools, on evidence satisfactory to him that one of the following reasons exists: (1) Child has already acquired branches of learning taught in the district schools; (2) Services are necessary to support of mother or invalid father; (3) Physical or mental condition renders attendance inexpedient or impracticable (school board may require certificate from competent physician); (4) No district school within 2½ miles is taught the requisite length of time		
VERMONT 1915 No 64 s 30–33, 50, 52–57, 65, 173 [For law providing poor relief for child failing to attend because of lack of suitable clothing, see 1915 No 64 s 59]	A 8 to 15 *Exemptions:* (1) If child has already completed the elementary school course (2) If mentally or physically unable to attend school (school superintendent may in such case request town health officer or competent physician to examine child) (3) If "legally excused from attending school" [Such excuse may be obtained on completion of the course of study prepared for the elementary schools by superintendent of education—See Table 2, A; Table 3, A]		
	B 15 to 16 *Exemptions:* If child has completed first 6 years of elementary school course he may be excused by superintendent if his services are needed for support of those dependent upon him or for other sufficient reason Other exemptions same as in A, above		
VIRGINIA [The general assembly may provide for the compulsory education of children between the ages of 8 and 12 years—Constitution art 9 s 38] Code 1904 s 1462 (as amended by 1906 C 248) 1908 C 364 s 1, 2, 4, 5–7	A 8 to 12 *Exemptions:* (1) If able to read and write (2) If excused "for cause" by district school trustees (3) If weak in body or mind (4) If living more than 2 miles from nearest public school or more than 1 mile from the line of a public free school wagon route		Any county, city, town, or district in which the qualified voters thereof "avail themselves" of these provisions at a general or special election [1]

[1] These provisions have been adopted by the following cities: Clifton Forge, Lynchburg, Petersburg, Richmond, Bristol, and by the following counties: Alleghany, Henrico, Rockingham, Shenandoah, Wise

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
In any city of the first or second class, 30 weeks (10 consecutive) In any other place, 20 weeks (10 consecutive)			1. Duty President of local board of education: In cities Chairman of district school trustees: In districts 2(a). Any offense Maximum—$300 or imprisonment for 6 months, or both	A
"Full number of days for which * * * school is held; and, if the school * * * is held for more than 170 days," child shall "continue in school unless excused in writing by the superintendent"			1. Duty Truant officers: Have duty of enforcement; May inspect certain establishments [For list, see P S 1906 C 50 s 1045 (as amended by 1912 No 75 s 11)] School superintendents: Shall enforce if they have reason to believe law has been violated; May return truant child to school [In unorganized towns and gores, supervisors have duties of truant officers] 2(a). Any offense Minimum—$5 Maximum—$25	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
12 weeks (6 consecutive) each year, or twice that time at half-time or night school	[See column V]		1. Duty District school board 1. Power only Any taxpayer: May make complaint to above board, which must be prosecuted 2(a). First offense Minimum—$2 Maximum—$10 2(a). Subsequent offense Minimum—$5 Maximum—$20	A

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act		
	Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
WASHINGTON Pierce s Code 1912 title 413 s 427, 489, 839, 841, 843, 845, 849	A 8 to 15 *Exemptions:* On certificate from district or county superintendent of schools, for any of the following reasons: (1) Child has attained reasonable proficiency in branches required by law to be taught in first 8 grades; (2) He is mentally or physically unable to attend school; (3) Other sufficient reason		
	B 15 to 16 *Exemptions:* If regularly and lawfully engaged in useful and remunerative employment Other exemptions same as in A, above		
WEST VIRGINIA Hogg's Code 1913 C 45 s 2113, 2114, 2156–2158	A 8 to 14 *Exemptions:* (1) In case of sickness or death in family or for other reasonable cause (2) If there is no school within 2 miles by nearest traveled road [See provisions in B, Tables 1 to 3, inclusive, for requirement of permit from State commissioner of labor or county superintendent of schools for employment under 14 in business or service during school hours, which, if granted, would apparently constitute an exemption]		
	B 14 to 15 *Exemptions:* [See provisions in A, Tables 1 to 3, inclusive, for requirement of a certificate for employment of child 14 to 16 in certain occupations, which might by implication constitute an exemption for child who has passed fourth grade and can read and write simple English sentences]		

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
Entire session			1. Duty Attendance officers: Have duty of enforcement; May inspect stores, mills, shops, or other places where children may be employed 2(a). Any offense Maximum—$25	A
			1. Same as in A, above 2. Same as in A, above	B
24 weeks			1. Duty Truant officers: Have duty of enforcement; [For other duties, see Table 2, A–IX] 2(a). First offense Fine of $2 2(a). Subsequent offense Fine of $5	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
WISCONSIN Statutes C 27 s 439a.1 (as renumbered by 1915 C 520), 439b, 439ca, 439cb, 439cc. 1, 439cc. 2, 339ce, 439e, 462 St C 83 s 1728d.1 [Any child 14 to 16, living within 2 miles of the school of any town or within the corporate limits of any city or village, if not physically incapacitated and not required by the provisions tabulated in B to attend school, shall, if he lives in a town or city maintaining schools as specified in D-IV either attend such school for 5 hours per week for 6 months or 4 hours per week for 8 months or attend school as specified in B—St C 27 s 439a-1 as added by 1915 C 266]	A 7 to 14 *Exemptions:* (1) If child has completed eighth grade and has diploma (2) If child lives more than 2 miles from school of his district by nearest traveled road, unless free transportation is furnished (3) If child has certificate from reputable physician in general practice that he is not in proper physical or mental condition to attend school		[See column V]
	B 14 to 16 [See note in column I] *Exemptions:* If regularly and lawfully employed in useful employment or service at home or elsewhere Other exemptions same as in A, above		[See column V]
St C 27 s 439ca St C 83 s 1728a-11, 1728a-12, 1728a-13, 1728a-14, 1728a-15, 1728a-16, 1728d.1 St C 110a s 2394-52	C Minor over 14 *Exemptions:* (1) If able to read and write simple English sentences (2) Child may be exempted by State industrial commission if he has certificate from registered practicing physician showing that his physical condition, or the distance necessary to be traveled, would render required attendance in addition to daily labor prejudicial to his health	Any industry for which a public evening or continuation school is maintained [See column IV]	City, town, or village in which public evening or continuation school for the industry in which minor is to work is maintained [There are as yet—Jan. 1, 1915—no such schools]

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school	Evening school]	Continuation school	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc.	
V	VI	VII	VIII	
In any city of the first class, entire session of school attended In any other city, 8 school months In any town or village, 6 school months			1. Duty Truant officers: Have duty of enforcement; May inspect factories, workshops, mercantile establishments, and other places of employment and shall report all cases of illegal employment to school authorities and to State industrial commission 1. Power only State industrial commission 2(a). Each offense Minimum—$5 or imprisonment, or both Maximum—$50 or imprisonment for 3 months, or both	A
Same as in A, above			1. Same as in A, above 2. Same as in A, above	B
	Regular attendance at evening continuation school; weekly records of attendance must be presented to employer	[See column VI]	1. Duty State industrial commission: Has duty of enforcing "all the provisions of the statutes regulating or relative to child labor" and, so far as not otherwise provided for in the statutes, the laws relating to school attendance [Truant officers may have the duty and certainly have the power of enforcement] 2(b). Each offense Minimum—$10 Maximum—$100 (Above penalty may be recovered from corporation in action for debt or assumpsit)	C

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TABLE 5.—COMPULSORY

[In reading this analysis, the explanatory

State References I	Application of act Age *Exemptions* II	Occupations or establishments *Exemptions* III	Localities IV
WISCONSIN—Continued St C 83 s 439ca, 1728a.2, 1728c-1.1 (as amended by 1915 C 420), 1728c-1.2, 1728c-1.3, 1728c-1.4, 1728c-2.1, 1728c-2.2, 1728d.1, 1729s-8.3 St C 110a s 2394-52, 2394-70	D 14 to 17	Any occupation [See column IV]	City, town, or village where day continuation classes, industrial school, or commercial school is established for minors 14 to 16 working under permit [1]
	E Any minor	Any occupation which is not a trade industry (see St C 83 s 1729s-8.2) and for which a living wage for minors shall have been established by industrial commission [2] [See column IV]	Same as in D, above
WYOMING Compiled Statutes 1910 s 1956, 1957, 1992, 1994	A "Between the ages of 7 and 14, inclusive" *Exemptions:* On excuse from district board for one of the following reasons: (1) Child who is an invalid or to whom schoolroom might be injurious (physician's certificate required); (2) If this law would "work a hardship" to child (in this case excuse must be written); (3) If child has been excluded from regular school for legal reasons and no provision has been made for his schooling		

[1] The following cities were maintaining continuation schools on Jan. 1, 1915: Appleton, Beaver Dam, Beloit, Chippewa Falls, Cudahy, Eau Claire, Fond du Lac, Grand Rapids, Green Bay, Janesville, Kenosha, LaCrosse, Madison, Manitowoc, Marinette, Marshfield, Menasha, Menomonie, Milwaukee, Neenah, Oshkosh, Racine, Sheboygan, South Milwaukee, Stevens Point, Superior, Two Rivers, Wausau, and West Allis [See St s 553p-3.1 (as amended by 1915 C 515) and 553p-3.9 for regulations as to where such schools must be established]

[2] For provision requiring minors employed in any occupation which is a trade industry, and for which a living wage for minors shall have been established by the industrial commission, to be indentured, and school attendance required, see s 1729s-8.1, 2377 (as reenacted by 1915 C 133)

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SCHOOL ATTENDANCE—Continued

notes on pp. 467–475 should be borne in mind]

Required attendance			Enforcement	
Day school V	Evening school VI	Continuation school VII	1. Enforcing authorities—Duty; Power only 2. Penalties—(a) For parent, etc.; (b) For employer, etc. VIII	
		5 hours per week in daytime for 8 months or 4 hours per week for 10 months for child 14 to 16, and 5 hours per week for 6 months or 4 hours per week for 8 months for child 16 to 17. Time shall be allowed by employer as a reduction in hours of labor	1. Duty Truant officers: Have duties and powers as specified in A, above State industrial commission: Has duties as specified in C, above 2(b). Each offense Minimum—Forfeiture of $10 to State Maximum—Forfeiture of $100 to State [A civil suit may be brought for violation]	D
		Same as in D, above	1. Same as in C, above 2. Same as in D, above	E
Entire session			1. Duty Truant officer Sheriff and deputy sheriff Constable 2(a). First offense Minimum—$5 Maximum—$25 2(a). Subsequent offense Minimum—$5 or $5 and imprisonment Maximum—$25 or $25 and imprisonment for 90 days	A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
ALABAMA 1915 p 193 s 13, 14 [Distribution of newspapers and periodicals permitted to boy 10 to 12 upon compliance with all the provisions tabulated in A] [The provisions tabulated in A apply to employment in the second group of occupations listed in column V as well as to engaging therein; penalty for employer, etc., is therefore tabulated in column VIII]	A Boy 12 [See first note in column I] Girl 18	Boy 12 to 16 [See first note in column I]	Any city of 25,000 or over according to the latest Federal census	Distributing, selling, exposing or offering for sale newspapers, magazines, periodicals, handbills, or circulars Any other trade or occupation performed in any street or public place
ALASKA [No provisions]				
ARIZONA Revised Statutes 1913 Civil Code title 14 C 2 s 3110, 3133–3135 [For provision governing employment in bootblack stand or establishment, see provisions in A, B, and C, in Tables 1, 2, and 3. For provision fixing minimum age of 16 for employment in peddling or any wandering business, see Table 1, D]	A Boy 10 Girl 16	[See C, below]	Any city of the first or second class	Selling, exposing, or offering for sale newspapers, magazines, periodicals, or other merchandise in any street or public place
	B 10	[See C, below]		Bootblack in street or public place
	C [Boy 10]	Boy 10 to 14		Selling papers outside school hours "Other work outside school hours"
ARKANSAS [See column VI]	A			

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TRADES

notes on pp. 467-475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
"Regular school attendance" required Badge required, subject to the following conditions: (1) Issued by the superintendent of schools or his deputy; (2) Application must be made in person by child, accompanied by parent or guardian; (3) Submission of satisfactory proof of age; (4) Conspicuous wearing and annual renewal of badge; (5) May be revoked or suspended for violation, or in case school record is not satisfactory to school principal	8 p. m. to 5 a. m.	1. Duty State factory inspector and his deputies Police officers and other peace officers 2(a). Any offense Offender shall be dealt with as juvenile delinquent. [See also column VI, subdivision (5)] 2(c). Any offense Minimum—$1 Maximum—$50	A
[See C, below. It would appear that the license there described would be required for employment of boy 10 to 14, but it is not so specified]		1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school-attendance officers: Shall make complaints for offenses and prosecute violations 1. Power only Any person: May prosecute 2(b). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
Same as in A, above		1. Same as in A, above 2. Same as in A, above	B
License may be issued by local board of school trustees for engaging in work outside of school hours when, in its judgment, such work will not be harmful to boy, either physically or morally		1. Same as in A, above 2. Same as in A, above	C
[There are no specific provisions, but see Tables 1 to 4 for general provisions which might apply to employment in street trades, and Table 5 for compulsory school-attendance requirements which would under certain conditions keep child from work during school hours. Any child under 10 who is found peddling or selling any articles upon the streets, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—1911 A 215 s 1]			A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
CALIFORNIA Deering's General Laws 1909 A 1611 s 16–17 (as added by 1915 C 625) [Child under 18 is prohibited by 1911 C 688 s 1 from selling goods, or engaging in or conducting any business between 10 p. m. and 5 a. m.—See Table 4, C–III. This provision would apparently apply to street trades]	A Boy 10 Girl 18		Any city of 23,000 or over	Selling or distributing newspapers, magazines, periodicals, or circulars Peddling Bootblacking Any other occupation pursued in any street or public place
COLORADO Mills' Annotated Statutes revised edition 1912 s 537, 659, 670, 672, 673 1915 C 180 s 11 [See Table 1, B, and Table 4, A, for general provisions which might affect employment in street trades]	A Girl 10		Any town or city	Selling or distributing newspapers, periodicals, or other publications, or any article of merchandise in street or alley Engaging in any other business or occupation in street or alley
CONNECTICUT [See column VI]	A			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
		1. Duty State bureau of labor statistics 2(b). Any offense Maximum—$50 or imprisonment for 60 days, or both (Above penalty is incurred by parent violating any provision of this act, but no specific provision of act forbids parent to allow child to work under the age specified in column II and the applicability of the penalty therefore appears doubtful)	A
		1. Duty Deputy State labor commissioner [factory inspector] State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor" 2(b). First offense Minimum—$5 Maximum—$25 2(b). Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both (All above penalties are incurred by person having child "under his control" who permits such child to "be employed")	A
[There are no specific provisions, but see Table 1, C, for prohibition of employment under 18 in peddling, and Table 1, B, and Table 5 for provisions which might indirectly affect work in street trades]			A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
DELAWARE Revised Code 1915 C 71 s 2325 R C 1915 C 90 s 3168–3177, 3180, 3189 [For minimum age of 14 for employment in "bootblack-stand establishment," see Table 1, B] [The provisions for badges do not apply "in the case of newsboys." It is not clear whether or not the possession of an employment certificate exempts a child from the night work prohibition] [It is not clear whether or not the provisions in this table apply to employment in listed occupations or only to engaging therein]	A Boy 12 Girl 14	Boy under 14 [12 to 14] Girl under 16 [14 to 16]	Any city of 20,000 or over	Distributing, selling, exposing, or offering for sale newspapers, magazines, or periodicals in street or public place *Exemptions:* [For possible exemption in case of poverty, see R C 1915 C 90 s 3179]
	B [No minimum age specified]	Boy under 14 Girl under 16	Same as in A, above	Bootblack Any other trade or occupation performed in street or public place Distribution of handbills or circulars or any other articles except newspapers, magazines, and periodicals *Exemptions:* Same as in A, above

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Compliance with legal requirements concerning school attendance—See Table 5. Work prohibited during school hours unless child has employment certificate Permit and badge required, subject to the following conditions [See second note in column I]: (1) Issued by superintendent of schools of city of Wilmington or of county or by deputy of either; (2) Application must be made in person by parent, guardian, etc.; (3) Evidence of age same as is required for employment certificate [See Table 2, B–IV]; (4) Written statement of principal or chief executive officer of school child is attending stating that child is an attendant, with grade attained, and that he has attained normal development and is physically and mentally fit for such employment and able to do such work in addition to school work required by law; (5) Conspicuous wearing and annual renewal of badge; (6) Subject to inspection on demand of State child labor inspector; (7) May be revoked for 6 months upon recommendation of enforcing officers specified in column VIII (Employment certificate of child 14 to 16 shall be accepted in lieu of any other requirements)	8 p. m. to 6 a. m. [See second note in column I]	1. Duty State child labor inspector or inspector authorized by him 1. Power only Any person: May make and prosecute complaints [Permit and badge may be revoked by issuing officer upon recommendation of principal or chief executive of school or upon complaint of State child labor inspector or of probation officer] 2(a). Any offense Offender dealt with as juvenile delinquent 2(b). First offense Minimum—$5 Maximum—$50 2(b). Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2(b). Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both 2(c). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both (Penalty 2(c) is incurred by person selling, etc., with knowledge that minor intends to violate or after notification that minor is unlicensed)	A
Same as in A, above	8 p. m. to 6 a. m. [See second note in column I]	1. Same as in A, above 2. Same as in A, above	B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
DISTRICT OF COLUMBIA Code 1911 p 444 s 11-14; p 445 s 15 36 United States Statutes at Large p 990 [For minimum age of 12 and regulations 12 to 16 for employment in bootblack stand, see Table 1, A; Tables 2 and 3; Table 4, B]	A Boy 10 Girl 16	Boy 10 to 16		Selling, exposing, or offering for sale newspapers, magazines, periodicals, goods, wares, or merchandise upon any street, road, or highway or in any public place
	B Boy 10 Girl 16	Boy 10 to 16	Same as in A, above	Trade of bootblacking
FLORIDA Compiled Laws 1914 s 2642a, 2642l, 2642r, 2642t, 2642w, 3728a [The provisions tabulated in A apply to child distributing, selling, etc., and "employment" is not specifically mentioned except in the exemption] [See also C L 1914 s 3237 for minimum age of 14 for employment in begging or peddling and Table 1, A, for minimum age of 12 for employment in "sale of merchandise"]	A Boy 10 [See column V] Girl 16		Any city of 6,000 or over	Distributing, selling, exposing, or offering for sale newspapers, magazines, or periodicals in street or public place *Exemptions:* Male children employed in the delivery of newspapers to regular subscribers outside of school hours [See first note in column I]
[See column VI]	B			
GEORGIA [No provisions]				
HAWAII [See column VI]	A			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Age and schooling certificate [or age certificate] is required—See A and B in Tables 2 and 3 for details [But it would appear that proof of age would be required only that child is over 10] In addition, permit and badge are required, subject to the following conditions: (1) Issued by local superintendent of schools or his deputy, upon application of parent or guardian; (2) Permit states that above-mentioned certificate has been examined and filed; (3) Conspicuous wearing and annual renewal of badge; (4) Subject to inspection on demand of police or truant officer or of child labor inspector [Compulsory school-attendance law requires attendance 8 to 14 for entire session except on presentation of satisfactory evidence to superintendent of schools of the District of Columbia that child has acquired the branches of learning taught in the public schools, or is physically or mentally incapacitated]	10 p. m. to 6 a. m.	1. Duty Child labor inspectors [2 detailed privates of police force] [For authorities to whom badge must be exhibited on demand, see column VI] 2. [No specific provision. Juvenile court has jurisdiction over offenses]	A
Same as in A, above, including bracketed note		1. Same as in A, above 2. Same as in A, above	B
		1. Duty State labor inspector Grand juries: Shall be charged by county and circuit judges, at beginning of each term of the court, to investigate violations 1. Power only Grand juries and county solicitors of criminal courts of record: "Have inquisitorial powers to investigate violations" Any person: May make complaint 2(b). Any offense Maximum—$50 (Above penalty is incurred by person having child "under his control" who permits such child "to be employed"—See note in column I)	A
[Any child under 12 who is found peddling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—C L 1914 s 1208a]			B
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which might indirectly affect work in street trades]			A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
IDAHO [See column VI]	A			
ILLINOIS Hurd's Revised Statutes 1913 C 38 s 42hg [For minimum age of 14 for employment in peddling, see H R S 1913 C 38 s 492, 493, 495, 496] [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A "Minor child"			Selling, giving away, or in any manner distributing any book, magazine, pamphlet, newspaper, story paper, or publication devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, crime, etc.
[See column VI]	B			
INDIANA [See column VI]	A			
IOWA Code 1897 Supplemental Supplement 1915 s 2477-a1, 2477-d [The provisions tabulated in A appear to apply both to employment in listed occupations and to engaging therein]	A Boy 11 Girl 18 [In cities having a superior or municipal court, superintendent of schools or his deputy may, in exceptional cases, upon sufficient showing made by the superior or municipal judge, issue a permit to boy under 11]	Boy 11 to 16 [See note in column II]	Any city of 10,000 or over	Distribution or sale of newspapers, magazines, periodicals, or circulars Any other occupation in any street or public place Peddling Bootblacking

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
[There are no specific provisions. See Table 1, C, for provision fixing minimum age of 16 for employment in peddling or any wandering business. See Table 6 for compulsory school-attendance requirements which may affect work in street trades]			A
		1. [No specific provision] 2(b). Any offense Maximum—$500 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	A
[See Table 5 for compulsory school-attendance requirements which would indirectly affect work in street trades. Any child under 10 who is found peddling or selling any articles upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court— 1915 p 368 s 1]			B
[There are no specific provisions, but see Table 1, A and D, for general regulations which might be in some degree applicable to work in street trades, and Table 5, A and B, for compulsory school-attendance requirements which would appear practically to prohibit work in street trades under [4 during school hours]			A
Work prohibited during school hours Badge required, subject to the following conditions: (1) Issued by the local superintendent of schools or his deputy or deputy of local school board; (2) Evidence of age and certificate of physical fitness same as is required for employment certificate [See Table 2, A–IV and A–V]; (3) School record, signed by chief executive of school attended, certifying that child is a regular attendant at school and that the work in which he is to engage will not interfere with his progress at school; (4) Annual renewal of badge	7.30 p. m. to 4 a. m. (8.30 p. m. to 4 a. m. during summer school vacation)	1. Duty Truant or attendance officers 2(b). Any offense Maximum—$15 (Above penalty is incurred by "parent or person in charge" of child) 2(c). Each offense Minimum—$15 Maximum—$100 (Above penalty is incurred by person selling, etc., with knowledge that minor intends to violate, or after notification from enforcing official that minor is unlicensed)	A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
KANSAS [See column VI]	A			
KENTUCKY Statutes 1915 s 331a.15, 331a.16 [The provisions tabulated in A and B apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII] [For prohibition of employment of girl under 16 in peddling, see St 1915 s 326, 330, 331] [For law prohibiting employing or permitting "minor child" to sell any book, pamphlet, newspaper, etc., devoted to criminal news or accounts of immoral, etc., deeds, see St 1915 s 1354]	A Boy 14 Girl 18		Any city of the first, second, or third class	Peddling Boot blacking Distributing or selling newspapers, magazines, periodicals, or circulars Any other occupation pursued in street or public place
	B	Boy 14 to 16	Same as in A, above	Peddling Boot blacking Distributing or selling magazines, periodicals, or circulars Any other occupation pursued in street or public place [This would apparently include selling newspapers]

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
[There are no specific provisions, but see Tables 1 to 4 for general regulations which might apply to employment in street trades, and Table 5 for compulsory school-attendance requirements which would, under certain conditions, keep a child from work during school hours. Any child under 10 who is found peddling or selling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—General Statutes 1909 s 5100]			A
		1. Duty Labor inspectors Truant officers Police officers Juvenile court probation officers 2(a). Any offense Child shall be dealt with as juvenile delinquent 2(b). First offense Minimum—$15 Maximum—$50 2(b). Second offense Minimum—$15 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both 2(b). Subsequent offense Minimum—$200 or imprisonment for 30 days, or both (Penalty 2(b) applies only to violations in regard to children under 16 and is incurred by employer, etc., as well as by parent) 2(c). Each offense Minimum—$15 Maximum—$100 (Penalty 2(c) is incurred by person selling, etc., with knowledge that minor intends to violate or after notification that minor is unlicensed)	A
Badge required, subject to following conditions: (1) Issued by local or county superintendent of schools or his deputy on application of child accompanied by parent or guardian; (2) Compliance with all the requirements for the issuance of an employment certificate (see Tables 2 and 3, A) except as specified in parenthetical note below; (3) Conspicuous wearing and annual renewal of badge (Child not fulfilling educational requirements—fifth grade—may receive badge authorizing him to work outside school hours)	8 p. m. to 6 a. m.	1. Same as in A, above 2. Same as in A, above	B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
LOUISIANA [See column VI]	A			
MAINE Revised Statutes 1903 C 125 s 15 1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4) 1911 C 65 s 2, 11 [The provision tabulated in A applies to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A Any minor			Selling, giving away, or in any manner distributing any book, magazine, pamphlet, or newspaper devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of crime, etc.
MARYLAND Annotated Code 1911 v 3 (1914) art 100 s 13, 26–35, 37, 38, 45, 46, 48 [The provisions here tabulated appear to apply to employment in listed occupations, as well as to engaging therein; penalty for employer, etc., is therefore tabulated in column VIII] [For minimum age of 12 for employment in "sale of merchandise" and of 16 for employment in peddling, see Table 1, A and F; for minimum age of 14 and regulations 14 to 16 for employment in bootblack stand or establishment, see Table 1, B, and Tables 2 and 3, A]	A Boy 10 [For employment under 10, see column V, "*Exemptions*"]	Boy 10 to 16	Any city of 20,000 or over	Distributing, selling, exposing, or offering for sale newspapers, magazines, or periodicals in street or public place *Exemptions:* Above shall not be construed to forbid the serving of newspapers on a regular route by boys under 10 provided it is not done during the hours when the public schools are in session

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
[There are no specific provisions, but see Tables 1 to 4 for general regulations which might apply to employment in street trades, and Table 5 for compulsory school-attendance requirements which would, under certain conditions, keep a child from work during school hours. Any child 17 years of age and under who is found peddling any article in any street, road, or public place, or who accompanies any person so doing, is deemed delinquent and may be declared a ward of the court—Wolff's Revised Laws Supplement 1904–1908 v 3 p 393; 1908 A 83 s 9]			A
		1. Duty State commissioner of labor [and industry] "Agents for the protection of children," sheriffs, deputy sheriffs, police officers, and constables: Shall enforce any act for the protection of children 2(b). Any offense Minimum—$25 or imprisonment, or both Maximum—$100 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	A
Compliance with legal requirements concerning school attendance—See Table 5 Permit and badge required, subject to the following conditions: (1) Issued by chief of State bureau of statistics and information or by county superintendent of schools or his deputy; (2) Application must be made in person by parent, guardian, etc.; (3) Evidence of age same as is required for an employment certificate [See Table 2, A–IV]; (4) Written statement of principal or chief executive officer of school attended stating that child is an attendant and giving grade attained; (5) Conspicuous wearing and annual renewal of badge; (6) Subject to inspection on demand of enforcing officers; (7) May be revoked for 6 months upon recommendation of officers specified in column VIII (In case of boy 14 to 16, employment certificate shall be accepted in lieu of any other requirements)	8 p. m. to 6 a. m.	1. Duty Chief of State bureau of statistics and information Inspectors of factories, attendance officers, and other authorized officers 1. Power only Any person: May make and prosecute complaints (Permit and badge may be revoked by issuing officer upon recommendation of principal or chief executive of school attended, or upon complaint of enforcing officer, or of police, attendance, or probation officer) 2(a). Any offense Offender dealt with as juvenile delinquent 2(b). First offense Maximum—$50 2(b). Second offense Maximum—$200 or imprisonment for 30 days, or both (Penalty 2(b) is incurred by employer, etc., also) 2(c). Any offense Maximum—$200 or imprisonment for 30 days, or both (Penalty 2(c) is incurred by person selling, etc., with knowledge that minor intends to violate or after notification that minor is unlicensed)	A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
MARYLAND—Continued.	B Boy 14	Boy 14 to 16	Same as in A, above	Bootblack Other trade or occupation performed in any street or public place Distributing handbills or circulars or other articles, except newspapers, magazines, or periodicals as specified in A, above
	C Girl 16		Same as in A, above	Occupations same as in A and B, above
MASSACHUSETTS Revised Laws 1902 C 46 s 13 (as amended by 1913 C 779 s 12) R L 1902 C 65 s 17 (as amended by 1910 C 419) 1906 C 463 Pt III s 89 1913 C 779 s 13	A	Any minor		Trade of bootblack Sale of newspapers, etc.
1913 C 779 s 13 1913 C 831 s 11–15, 19, 22–25 [For employment in bootblack stand or establishment, see Table 1, A; Table 4, B and C] [For law prohibiting employing or permitting minor to sell, lend, give away, or distribute any book, pamphlet, magazine, newspaper, etc., devoted to the publication or principally made up of criminal news, police reports, accounts of criminal deeds, or pictures and stories of crime, etc., under penalty of imprisonment for not more than 2 years or fine of not less than $100 nor more than $1,000, see R L 1902 C 212 s 21]	B Boy 12	Boy 12 to 16	Any city of over 50,000	Selling, exposing, or offering for sale newspapers, magazines, periodicals, or other articles of merchandise of any description Trade of bootblack Trade of scavenger Other trade (All above in street or public place)

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Same as in A, above	8 p. m. to 6 a. m.	1. Same as in A, above 2. Same as in A, above	B
	8 p. m. to 6 a. m.	1. Same as in A, above 2. Same as in A, above	C
Mayor and aldermen or selectmen may prohibit or regulate In any city, school committee has foregoing powers for minor under 14 [For regulations as to compulsory school attendance of all minors, see Table 5]		1. Duty Attendance officers: Have duty of enforcement; Have oversight of minors licensed by school committee Police officers 2(a). Each offense Maximum—$10 2(b)(c). Any offense Maximum—$200 or imprisonment for 6 months (Penalty 2(c) is incurred by person selling, etc., with knowledge that minor intends to violate and after notification by school committee that minor is not licensed) (Street railway company shall be fined $50 for each offense for permitting child under 10 to enter and sell on car)	A
Compliance with legal requirements concerning school attendance—See Table 5 Badge required, subject to following conditions: (1) Issued by superintendent of schools or his deputy or deputy of school committee; (2) Evidence of age same as is required for an employment certificate [See Table 2, A–IV]; (3) Subject to inspection on demand of enforcing officer; (4) Conspicuous wearing of badge; (5) May be revoked for 3 months upon complaint of enforcing officer or probation officer; (6) May be refused if applicant, upon due investigation, is found to be physically or mentally incompetent or unable to do work in addition to the regular school attendance required by law—See Table 5; (7) Work during school hours prohibited unless child has employment certificate (School committee may make further regulations and requirements for issuance)	9 p. m. to 5 a. m.	1. Duty Attendance officers Police officers 1. Power only Any person: May prosecute violations 2(a). First offense Child shall be warned 2(a). Subsequent offense May be arrested and dealt with as a delinquent child 2(b). First offense Minimum—$2 or imprisonment, or both Maximum—$10 or imprisonment for 5 days, or both 2(b). Subsequent offense Minimum—$5 or imprisonment, or both Maximum—$25 or imprisonment for 10 days, or both 2(c). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (Penalty 2(c) is incurred by person selling, etc., with knowledge that minor intends to violate or after notification to this effect from enforcing officer)	B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
MASSACHUSETTS—Continued	C Girl 18		Same as in B, above	Same as in B, above
MICHIGAN Howell's Annotated Statutes 1913 s 4787 [For prohibition of employment under 16 in begging, see Table 1, B] [For earlier law covering practically the same ground as that tabulated in A, but with a different penalty, see H A S 1913 s 3925, 14744] [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A Any minor			Selling, giving away, or distributing book, magazine, pamphlet, newspaper, or other paper, etc., devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of crime, etc.
[See column VI]	B			
MINNESOTA General Statutes 1913 s 3819, 8705 [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A Any minor			Selling, giving away, or distributing any book, magazine, newspaper, etc., of immoral, etc., character, or devoted to the publication or largely made up of criminal news, police reports, accounts of criminal deeds, or pictures and stories of crime, etc.
[See column VI]	B			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
		1. Same as in B, above 2. Same as in B, above (except that 2(a) subsequent offense applies only to minor under 17; minor 17 to 18 incurs maximum fine of $15 upon recommendation of school principal)	C
		1. [No specific provision] 2(b). Any offense Maximum—$100 or imprisonment for 3 months, or both (Above penalty is incurred by employer, etc., also)	A
[Any child under 12 who is found begging or peddling as a business, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—H A S 1913 s 11644 (as amended by 1915 No 308 s 1)]			B
		1. Duty State department of labor and industries 2(b). Any offense Minimum—$100 or imprisonment for 90 days, or both Maximum—$500 or imprisonment for 1 year, or both (Above penalty is incurred by employer, etc., also)	A
[See Table 5 for compulsory school-attendance provisions which might indirectly affect work in street trades. Any child under 10 who is found peddling or selling any articles upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—G S 1913 s 7162, 7178]			B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
MISSISSIPPI [No provisions]				
MISSOURI Revised Statutes 1909 v 1 s 1726a (as added by 1911 p 132), 1726d (as added by 1911 p 132) R S 1909 v 2 s 7824, 7825 Any child under 10 who is found peddling or selling any articles upon the street, or who is used in the aid of any person so doing, is deemed neglected and may be declared a ward of the court—1913 p 148 s 2]	A Boy 10 Girl 16			Selling, exposing, or offering for sale newspapers, magazines, periodicals, or other merchandise in street, hotels, railway stations, places of public amusement, places where intoxicating liquors are manufactured or sold, or public office buildings
MONTANA Revised Codes 1907 s 1660, 1669, 8111, 8391, 8392 [The provisions tabulated in A make it unlawful "to hire, use, employ, or permit" child under 16 to engage in occupations listed in column V; penalty for employer, etc., is therefore tabulated in column VIII]	A 16			Selling, giving away, or in any manner distributing book, pamphlet, magazine, newspaper, or publication devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal or immoral, etc., deeds
[See column VI]	B			
NEBRASKA Revised Statutes 1913 s 3554, 8790 [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A "Minor child"			Selling, giving away, or distributing book, pamphlet, magazine, newspaper, or other paper devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal or immoral, etc., deeds
[See column VI]	B			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
		1. Duty State factory inspector: In cities of 10,000 or over "shall enforce all laws relating to the inspection" of certain establishments, among which are specified hotels, concert halls or places of public amusement, and mercantile establishments [For list, see R S 1909 v 2 s 7825] 2(a). Any offense Maximum—$100 or imprisonment for 1 year, or both (Each day's violation a separate offense)	A
		1. Duty State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 2(b). Any offense Maximum—$500 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	A
[There are no provisions governing street trades in general, but see Table 1 for law regulating employment during school term and Table 5 for compulsory school-attendance provisions which might affect work in street trades. For prohibition of employment of child under 16 in begging, or peddling in public street or highway, or in any mendicant or wandering business, see R C 1907 s 1660, 1669, 8111, 8347]			B
		1. Duty State commissioner of labor: Must examine into "the employment of illegal child labor" 2(b). Any offense Minimum—$50 or imprisonment, or both Maximum—$500 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	A
[Any child under 10 who is found peddling or selling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—R S 1913 s 1244]			B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
NEVADA Revised Laws 1912 s 6461, 6284 1915 C 203 s 4, 8, 9, 13 [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A Any minor			Selling, giving away, or distributing book, pamphlet, magazine, newspaper, etc., devoted to the publication or largely made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of bloodshed, crime, etc.
[See column VI]	B			
NEW HAMPSHIRE 1911 C 162 s 4, 16, 17, 20 [For general prohibition of night work, 7 p. m. to 6.30 a. m., which would apparently apply to employment in street occupations, and for partial exemption as to hours of delivering newspaper routes, see Table 4, A]	A Boy 10 Girl 16			Selling, exposing, or offering for sale newspapers, magazines, periodicals, or other merchandise in street or public place
[For minimum age of 14 and requirement of certificate 14 to 16 for employment in bootblack stand or parlor, see provisions in A in Tables 1, 2 and 3]	B 10			Bootblack in street or public place
Public Statutes 1901 C 92 s 18 P S 1901 C 93 s 15 (as amended by 1901 C 61) P S 1901 C 265 s 7-9 1911 C 198 s 2 [The provisions tabulated in C apply to employment in listed occupations as well as to engaging therein; enforcement as to employment and penalty for employer, etc., are therefore tabulated in column VIII]	C Any minor			Selling, giving away, or distributing book, pamphlet, magazine, newspaper, etc., or any printed paper devoted to the publication or illustration of stories or accounts of bloodshed, crime, etc., or principally made up of police reports and criminal news

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
		1. Duty State labor commissioner: Shall enforce all laws relating to employment of minors 2(b). Any offense Minimum—$500 or imprisonment for 6 months, or both Maximum—$1,000 or imprisonment for 1 year, or both (Above penalty is incurred by employer, etc., also)	A
[Any child under 10 who is found peddling or selling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—R L 1912 s 728. See also Table 1, A, and Table 5 for provisions which would indirectly affect work in street trades during school hours]			B
		1. Duty Truant officers State inspectors appointed by and under supervision of State superintendent of public instruction: Shall inspect "places of employment within the contemplation of this act," and have power of enforcement 2(b). Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
		1. Same as in A, above 2. Same as in A, above	B
		1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers: As to employment under 16 during school hours 1. Power only State superintendent of public instruction or his deputy: As to employment of minors 2(b). Any offense Maximum—$100 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	C

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
NEW JERSEY 1914 C 223 s 1, 3, 5, 7, 9, 10, 12, 13, 15, 17, 18 [The provisions found in the above sections exempt agricultural pursuits but otherwise appear to apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore tabulated in column VIII] 1915 C 246 s 1, 2	A [10]	10 to 16		Selling newspapers Blacking shoes Running errands Other light employments not otherwise prohibited by law for children under 16 (All above are limited by 1914 C 223 s 1 to "employment in the open air")
NEW MEXICO [See column VI]	A			
NEW YORK Consolidated Laws 1909 v 3 Labor C 31: Art 3-a s 51-52 (as added by 1913 C 145); Art 6 s 96; Art 15 s 220-226 (as amended by 1913 C 618), 227 (as added by 1913 C 618) C L 1909 v 4 Penal C 40: Art 174 s 1937 [For regulation, by permit and badge, of employment in distributing newspapers on a newspaper route, see C L 1909 v 3 Labor C 31 art 12 s 161-b (as added by 1914 C 21)] [For minimum age of 14 for employment in the distribution or sale of articles, see Table 1, B]	A Boy 12	Boy 12 to 14	Any city of first, second, or third class	Selling, exposing, or offering for sale newspapers, magazines, or periodicals in street or public place
	B Girl 16		Same as in A, above	Same as in A, above

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
The law provides for an "age and working certificate," the granting of which "shall be lawful" under the following conditions: (1) Issued by the officer issuing age and schooling certificates and subject to cancellation by the same officers as are empowered to cancel such certificates [See Table 3, A–V]; (2) Issued on presentation of same proof of age and certificate of physical fitness as is required for issuance of age and schooling certificate, and on petition of parent or guardian, setting forth fact that child desires to secure employment in order to help support itself or family, and that labor to be performed is in compliance with this act (see column V), all which documents are subject to investigation as to the truth of the facts contained; (3) Work must not be such as to interfere with child's standing at school, or his health, as determined by investigation In case above certificate is granted, school attendance in compliance with law (see Table 5) is required and work is prohibited during school hours	7 p. m. to 6 a. m.	1. Duty Attendance officers Sheriff and his officers, all police officers and constables: Shall assist attendance officers in the performance of their duty 2(b). Any offense Maximum—$100 or imprisonment for 1 year, or both (Above penalty is incurred by person employing or permitting child to be employed contrary to the laws of the State. It would therefore be incurred both by parent, etc., and by employer, etc.)	A
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which might indirectly affect work in street trades]			A
Permit and badge required, subject to following conditions: (1) Issued by district superintendent of board of education or member of board authorized thereby, on application of parent, guardian, etc.; (2) Presentation of satisfactory proof that child is 12 years of age or over; (3) Submission of certificate from principal or chief executive officer of school attended, approving the issuance of a permit, and stating that child is attendant at such school, and that he has attained normal development and is physically fit for employment contemplated; (4) Time of validity limited to period fixed therein; (5) Conspicuous wearing and annual renewal of badge; (6) Subject to inspection by police or attendance officers; (7) Subject to revocation upon recommendation of officers specified in column VIII	8 p. m. to 6 a. m.	1. Duty Police officers Attendance officers 1. Power only State industrial commission: May investigate; May make regulations for carrying law into effect [Permit may be revoked by issuing officer upon recommendation of principal or chief executive of school attended or upon complaint of police or attendance officer] 2(a). Any offense Child may be deemed in need of care and protection of the State and if over 7 may be adjudged guilty of delinquency 2(b). Any offense Maximum—$500 or imprisonment for 1 year, or both	A
		1. Same as in A, above 2. Same as in A, above	B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
NORTH CAROLINA [See column VI]	A			
NORTH DAKOTA Compiled Laws 1913 s 9652, 9653, 9655 [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A 18			Selling, giving away, or distributing any "work," pamphlet, magazine, newspaper, or other paper devoted to the dissemination or principally made up of criminal news, police reports, or pictures and stories of deeds of bloodshed, crime, etc.
[See column VI]	B			
OHIO [See column VI]	A			
OKLAHOMA Revised Laws 1910 s 3730, 3742	A Girl 16		Any city	Selling, exposing, or offering for sale newspapers, magazines, or periodicals in any street or out-of-doors public place
[See column VI]	B			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which might indirectly affect work in street trades]			A
		1. [No specific provision] 2(b). Any offense Maximum—$500 or imprisonment for 6 months, or both (Above penalty is incurred by employer, etc., also)	A
[Any child under 18 who is found "begging any articles" upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—C L 1913 s 11403. See also Table 1, A, for general provisions and Table 5 for compulsory school-attendance requirements which would indirectly affect work in street trades]			B
[There are no specific provisions, but see Tables 1 to 3, inclusive, for minimum age and certificate provisions which apply to all employment, and Table 5 for compulsory school - attendance requirements which would indirectly affect work in street trades. See also Table 1, A, for prohibition of employment under 14 in peddling, and of boy under 15 and girl under 16 in sale of merchandise, and Tables 1, B, and 2 and 3, A, for law fixing minimum age of 15 for boy and 16 for girl and requiring certificate for boy 15 to 16 and girl 16 to 18 for employment in bootblack stand or establishment]			A
		1. Duty State commissioner of labor 2(a). Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both (The above penalty appears to be incurred by minor, since girl under 16 is forbidden to sell, expose, etc., newspapers, etc., and penalty is incurred by "person violating")	A
[There are no specific provisions other than those given in A, above, but see Table 5 for compulsory school-attendance provisions which would indirectly affect work in street trades]			B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
OREGON See column VI]	A			
PENNSYLVANIA 1915 Pamphlet Laws 286 s 1, 7, 23, 24 [The act tabulated in A, B, and C is in effect Jan. 1, 1916] [For law prohibiting employment under 18 in begging in streets, roads, or other highways or for any mendicant business, see 1879 P L 142 s 3; Stewart's Purdon's Digest 1903 v 2 p 1875]	A Boy 12 Girl 21			Distributing, selling, exposing, or offering for sale any newspaper, magazine, periodical, or other publication, or any article of merchandise of any sort in any street or public place
	B Boy 14 Girl 21			Scavenger Bootblack Any other trade or occupation performed in any street or public place
	C Boy 16 Girl 21			Same as in A and B, above
PHILIPPINE ISLANDS [No provisions]				
PORTO RICO 1913 No 42 s 7, 14 [For law prohibiting employment under 12 in peddling or in any mendicant business in any public street or highway, see Revised Statutes and Codes 1911 s 5422, 5707]	A Boy 12 Girl 15			The following during school hours: Selling newspapers, candies, or other merchandise Working as bootblack (All above in street or public square)
[See column VI]	B			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
[There are no specific provisions, but see Table 1, C, for prohibition of employment in any occupation under 14 during school term and Table 5 for compulsory school-attendance requirements which would indirectly affect work in street trades. Any child under 14 who is found peddling or selling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—Lord's Oregon Laws 1910 s 4406]			A
	[See provision in C, below]	1. Duty State commissioner of labor and industry Attendance officers Police officers 2(b). Any offense Minimum—$10 or imprisonment, or both Maximum—$200 or imprisonment for 10 days, or both (Above penalty is incurred by person violating, or compelling or permitting minor to violate, any provision of this act. The specific provision here tabulated forbids child of the age specified in column II to engage in the occupations specified in column V)	A
	[See provision in C, below]	1. Same as in A, above 2. Same as in A, above	B
	8 p. m. to 6 a. m.	1. Same as in A, above 2. Same as in A, above	C
		1. Duty Porto Rican Bureau of Labor 2. [No specific provision]	A
[There are no specific regulations as to permit, etc., or hours of labor in street trades, but see Tables 1 to 4, inclusive, for general provisions and Table 5 for compulsory school-attendance requirements which would indirectly affect such work]			B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
RHODE ISLAND 1915 C 1264 s 1–10 [The provisions tabulated in A are in effect January 1, 1916]	A Boy 12 Girl 16	Boy 12 to 16	Any city of over 70,000	Selling or offering for sale any newspaper, magazine, periodical, or any other article Trade of bootblack Trade of scavenger
General Laws 1909 C 139 s 4–6 [The provisions tabulated in B apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	B 16			Peddling in places injurious to morals of child under 16
SOUTH CAROLINA [See column VI]	A			
SOUTH DAKOTA [See column VI]	A			
TENNESSEE [See column VI]	A			
TEXAS [See column VI]	A			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Compliance with legal requirements concerning school attendance—See Table 5. Work prohibited during school hours unless child has employment certificate Permit and badge required, subject to the following conditions: (1) Issued by the truant officer, upon application of parent, guardian, etc.; (2) Written statement of the principal teacher of school attended, approving the issuing of the permit, and stating that the child is an attendant and that, in his opinion, he is of normal development and physically fit for such employment; (3) Conspicuous wearing and annual renewal of badge; (4) May be revoked or suspended for transference of badge, or if its possession is, in opinion of the principal teacher of the school or of the issuing officer, detrimental to his studies or well-being	9 p. m. to 5 a. m.	1. Duty Truant officers Probation officers Principal teachers of public schools Police officers 1. Power only Any person: May make complaint 2(a). First offense Warned 2(a). Subsequent offense [No specific provision. Juvenile court has jurisdiction over offenses] 2(b). First offense Warned 2(b). Subsequent offense Maximum—$5	A
		1. Power only Town sergeant, city chief of police, or any agent of the Rhode Island Society for the Prevention of Cruelty to Children: May enter any place where child may be detained or employed in violation of these provisions, and hold child as witness to testify upon trial of violator [See also G L 1909 C 139 s 1] 2(b). Each offense Maximum—$250 or imprisonment for 1 year, or both (Above penalty is incurred by employer, etc., also)	B
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which might indirectly affect work in street trades]			A
[For law fixing minimum age of 14 for employment as peddler or mendicant, see Table 1, B. There are no specific provisions regulating work in street trades, but see Table 5 for compulsory school-attendance requirements which might indirectly affect such work]			A
[There are no specific provisions, but see Table 1, B, for prohibition of employment of child under 14 in any business or service interfering with school attendance and Table 5 for compulsory school-attendance requirements which would indirectly affect work in street trades. Any child under 14 who is found peddling, or selling any article upon the streets, or who accompanies or is used in aid of any person so doing, is deemed dependent and may be declared a ward of the court—1911 C 58 p 111 s 1]			A
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which might indirectly affect work in street trades]			A

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
UTAH 1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 9, 10, 12, 14	A Boy 12	12 to 16	Any city of the first or second class	Selling, exposing, or offering for sale newspapers, magazines, periodicals, or other merchandise Bootblack (All above in street or public place)
1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 9, 14	B Girl 12		Same as in A, above	Bootblack in street or public place
	C Girl 16		Same as in A, above	Same as in A, above
VERMONT [See column VI]	A			
VIRGINIA 1908 C 301 s 5 (as amended by 1914 C 339) [Circuit or corporation court, on petition of parent, etc., or person interested in child, may, "for good cause shown entered of record," release any child 12 to 14, or his parent, etc., from the operation of these provisions]	A Boy 10 Girl 16 [See note in column I]		Any city of 5,000 or over	Distributing, selling, exposing, or offering for sale newspapers, magazines, or other periodicals in any street or public place *Exemptions:* [See note in column I]
Code 1904 s 1790c(7) (as added by 1914 C 321) C 1904 s 3795a(2), 3795a(3), 3795a(7), 3795a(8) [The provisions tabulated in B apply to employment in peddling as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	B 14			Peddling
[See column VI]	C			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Permit required, subject to the following conditions: (1) Issued by local superintendent of schools or his deputy or by deputy of school board on application of parent or guardian; (2) Presentation of "satisfactory proof" that child is 12 years of age or over; (3) Submission of written statement of principal or chief executive officer of school attended approving the issuance of a permit and stating that child is attendant at such school and that he has attained normal development and is physically fit for intended work	After 9 p. m.	1. [No specific provision] 2(b). Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
		1. Same as in A, above 2. Same as in A, above	B
		1. Same as in A, above 2. Same as in A, above	C
[There are no specific provisions, but see Table 5 for compulsory school-attendance requirements which would indirectly affect work in street trades]			A
		1. [No specific provision] 2. [No specific provision]	A
		1. [No specific provision] 2(b). Any offense Maximum—$200 or imprisonment for 12 months, or both (Above penalty is incurred by employer, etc., also)	B
[There are no specific regulations governing children above the minimum ages tabulated in A–II and B–II who engage in street trades, but see Tables 2 and 3 for general provisions which might apply to person employing child in such trades and Table 5 for compulsory school-attendance requirements which might indirectly affect such work. See Table 1, B, for minimum age of 12 for employment in "sale of merchandise" during school hours]			C

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
WASHINGTON Pierce's Code 1912 title 135 s 29, 413 P C 1912 t 291 s 101 [The provisions tabulated in A apply to employment in listed occupations as well as to engaging therein; penalty for employer, etc., is therefore given in column VIII]	A Any minor			Selling, giving away, or distributing book, magazine, pamphlet, newspaper, etc., devoted to the publication or largely made up of criminal news, police reports, accounts of criminal deeds, or pictures and stories of bloodshed, crime, etc.
[See column VI]	B			
WEST VIRGINIA [See column VI] [Any child under 10 who is found peddling or selling any article upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—1915 C 70 s 1]	A			
WISCONSIN Statutes C 83 s 1728p, 1728q, 1728r, 1728s, 1728t, 1728u, 1728v, 1728w, 1728x, 1728y, 1728z, 1728za [The provisions tabulated in A to D, inclusive, appear to apply to employment in listed occupations as well as to engaging therein; penalty for employer is therefore given in column VIII] [Street trade is defined as "any business or occupation in which any street, alley, court, square or other pub-	A Boy 12 [See provisions in C, below]	Boy 12 to 16	Any city of the first class	Distributing, selling, exposing, or offering for sale newspapers, magazines, or periodicals in any street or public place
	B Boy 14		Same as in A, above	Selling or offering for sale any goods or merchandise Distributing handbills or circulars or other articles Bootblack Other street trades [For definition, see note in column I] *Exemptions:* [Selling newspapers, etc., as permitted by provisions in A, above]

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
		1. Duty State commissioner of labor and his assistants 2(b). Any offense Maximum—$1,000 or imprisonment for 1 year, or both (Above penalty is incurred by employer, etc., also)	A
[Any child under 12 who is found peddling or selling any article upon the public street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—1913 C 160 s 1 subdivision 18]			B
[For law fixing minimum age of 18 for employment in begging on streets, roads, or other highways, or for any mendicant business, see Hogg's Code 1913 C 144 s 5177. There are no specific provisions regulating work in street trades, but see Tables 2 and 3 for general provisions which might apply to person employing child in said trades and Table 5 for compulsory school-attendance requirements which might indirectly affect such work]			A
Same as in C, below	Same as in C, below	1. Same as in C, below 2. Same as in C, below	A
		1. Same as in C, below 2. Same as in C, below	B

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TABLE 6.—STREET

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Localities IV	Occupations *Exemptions* V
WISCONSIN—Continued lic place is used for the sale, display or offering for sale of any articles, goods or merchandise"] [Although the compulsory school-attendance law (see Table 5) would not require every child under 16 to attend school, such child apparently can not be employed or engage in street trades unless he is a regular attendant at school]	C	Boy under 16	Same as in A, above	Selling or offering for sale or distributing handbills or other articles Bootblack Other street or public trade [For definition, see note in column I]
	D Girl 18		Same as in A, above	Distributing, selling, exposing, or offering for sale newspapers, magazines, or periodicals in any street or public place Distributing "handbills or circulars or any other articles upon the street or from house to house" Bootblack Other street trade [For definition, see note in column I]
WYOMING [See column VI]	A			

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TRADES—Continued

notes on pp. 467–475 should be borne in mind]

Regulations VI	Night work prohibited VII	Enforcement 1. Enforcing authorities — Duty; Power only 2. Penalties—(a) For minor; (b) For parent, etc.; (c) For person selling, or furnishing, etc., to minor VIII	
Compliance with legal requirements concerning school attendance—See Table 5. Work not permitted during school hours [See third note in column I] Permit and badge required, subject to following conditions: (1) Issued by board of education; (2) Application must be made in writing, signed by parent or guardian, etc.; (3) Presentation of evidence of age by baptismal certificate, birth certificate, or first school record; (4) Presentation of written statement of principal or chief executive officer of school child is attending stating that he is a regular attendant at such school and giving grade attained; (5) Issuing officer must be satisfied that child is mentally and physically able to perform intended work in addition to regular school work as required by law [See Table 5]; (6) Conspicuous wearing of badge; (7) May be revoked by issuing officer if it appears that permit was obtained by wrong or false statement as to age or if complaint is made by police, attendance, or probation officers [For temporary permits, see St C 83 s 1728u]	7.30 p. m. to 5 a. m. [Boy 14 to 16 who has permit and badge, and is mentally and physically able to do so in addition to school work, may deliver newspapers 4 a. m. to 6 a. m.]	1. Duty Board of education 1. Power only Police officers, attendance officers, or probation officers of juvenile court: May demand return of badge [See also column VI] 2(a). First offense Permit shall be revoked for 6 months and badge taken away 2(a). Second offense Child shall be brought before juvenile or other court having jurisdiction 2(b). Any offense Minimum—$10 or imprisonment for 10 days Maximum—$50 or imprisonment for 30 days (Penalty 2(b) is incurred by employer, etc., also, for employing minor under 16 "in peddling without a license")	C
		1. Same as in C, above 2. Same as in C, above	D
[There are no specific provisions, but for prohibition of employment under 14 in begging or peddling, see Table 1, C]			A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
ALABAMA 1915 p 193 s 6, 14, 17 [The provisions tabulated in A apply to all employment on stage of theater and are therefore given also in Table I]	A 16		Employment "upon the stage of any theater or concert hall, or in any connection with any theatrical performance or other exhibition or show"
ALASKA [No provisions]			
ARIZONA Revised Statutes 1913 Penal Code pt 1 title 9 C 2 s 252, 253	A 16		The following in public street or highway: Singing Playing on any musical instrument Rope walking Dancing
R S 1913 Pen C pt 1 t 9 C 2 s 254	B Any minor Girl of any age		Singing, reciting, dancing, playing on musical instruments in a saloon, or giving theatrical or other exhibition therein, for hire or otherwise
R S 1913 Civil Code t 14 C 2 s 3113, 3134, 3135 [The provisions tabulated in C, which are given also in Table 1, appear to apply to employment in public exhibitions, since all employment in theater, etc., is prohibited]	C 16		Theater Concert hall Place of amusement
ARKANSAS 1909 A 170 s 1, 2, 4-6 1913 A 322 s 12 1914 A 1 s 2, 6, 11, 13 [The provisions tabulated in A appear to be at least partially superseded by those tabulated in B, which belong to a later law]	A 14		Actor or performer in any concert hall or room where intoxicating liquors are sold or given away Any exhibition injurious to the health or dangerous to the life or limb of child under 14 Any immoral, etc., exhibition *Exemptions:* Provision does not apply to: Singer or musician in church or school, or at any respectable entertainment Teaching or learning music

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EXHIBITIONS

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State factory inspector and his deputies 2. First offense Minimum—$10 Maximum—$100 2. Subsequent offense Minimum—$100 Maximum—$500	A
		1. [No specific provision] 2. Any offense Equivalent to a misdemeanor (Penalty incurred by person having custody of child, for endangering its life, health, or morals, maximum—$300 or imprisonment for 2 months, or both)	A
		1. [No specific provision] 2. Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$300 or imprisonment for 180 days, or both	B
		1. Duty Factory inspector [there is no law providing for factory inspection], other authorized inspectors, and school-attendance officers: Shall make complaints for offenses and prosecute violations; Have power of inspection State superintendent of public instruction, other authorized inspectors, or school-attendance officers: Shall demand proof of age of child apparently under 16 without employment certificate, and order child discharged if not over 16 1. Power only Any person: May prosecute 2. Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	C
		1. Power only State commissioner of labor and statistics Justices of the peace Incorporated societies for the prevention of cruelty to animals 2. First offense Maximum—$100 or imprisonment for 3 months, or both 2. Subsequent offense Maximum—$200 or imprisonment for 6 months	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
ARKANSAS—Continued [Any child under 10 who is found singing or playing any musical instrument for gain upon the streets, or accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—1911 A 215 s 1]	B 16		Employment upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show
	C	Under 18	Any occupation [Apparently includes public exhibitions, as they are not specifically exempted]
CALIFORNIA Deering's General Laws 1909 A 1611 (as amended by 1915 C 625) s 7, 13, 14 D G L 1909 A 1611 s 16–17 (as added by 1915 C 625) [For minimum age and requirement of certificate for employment in any "place of amusement," see Table 1, A, and Tables 2 and 3, A to D inclusive. Those provisions, however, are applicable to employment in public exhibitions only in so far as it is not covered by the provisions here tabulated] [For provision fixing maximum hours 8 per day, 48 per week, for employment of child under 18 in any place of labor and of girl of any age in place of amusement, see Table 4, A and E] [The provisions tabulated in A shall not be construed to permit the use of a minor in any occupation prohibited by the provisions given in D, below]	A	Any minor	Employment in presentation of drama or dramatic play, including the production of motion-picture plays
	B	Under 18 [For exemption of child 15 to 18 under certain conditions, see provisions in C, below]	Any place of labor [This provision applies to public exhibitions] *Exemptions:* [Employment in presentation of drama or dramatic play, in case of child over 15, allowed on permit—See provisions in C, below]
	C	15 to 18	Employment in presentation of drama or dramatic play, including the production of motion-picture plays

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State commissioner of labor and statistics Factory inspectors Agents of humane society Probation officers Truant officers "Other authorized inspectors" 1. Power only Any person: May make and prosecute complaints 2. Any offense Minimum—$5 Maximum—$100	B
	10 p. m. to 6 a. m.	1. Same as in B, above 2. Same as in B, above	C
Written consent of the commissioner of the bureau of labor statistics is required, to be given only if he is satisfied that: (1) Environment of play is proper environment for child; (2) Conditions of employment are not detrimental to health of child; (3) Child's education will not be neglected or hampered by participation in play Above consent shall specify dates when and theaters or other places of amusement in which child is permitted to participate Consent revocable at will of issuing officer (Issuing officer may require the person charged with the issuance of age and schooling certificates (see Table 3, D–V) to make the necessary investigations into above conditions)		1. Duty State bureau of labor statistics 1. Power only Attendance officers Probation officers 2. Any offense Maximum—$50 or imprisonment for 60 days, or both	A
	10 p. m. to 5 a. m.	1. Same as in A, above 2. Each offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 60 days, or both (The above penalty is found in D G L 1909 A 1611, as amended by 1915 C 625, s 13; the following penalty is given in section 16 of the same law) 2. Any offense Maximum—$50 or imprisonment for 60 days, or both	B
Child permitted by law (see provisions in A, above) to be employed as actor, or actress, or performer in a theater or other place of amusement in presentation of a performance, play, or drama continuing until after 10 p. m., may continue until 12 midnight on consent of commissioner of labor statistics	[See column V]	1. Same as in A, above 2. Same as in A, above	C

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
CALIFORNIA—Continued Deering's Penal Code 1909 s 272, 273	D 16		Any exhibition injurious to health or dangerous to life or limb of a child under 16 Singing Playing on musical instruments Rope or wire walking Dancing Gymnast, acrobat, contortionist, or rider Any immoral, etc., exhibition *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music [Employment as musician at concert or other musical entertainment allowed on permit—See provisions in E, below]
	E	Under 16	Musician at concert or other musical entertainment
COLORADO Mills' Annotated Statutes revised edition 1912 s 537, 657, 658, 667, 670–673 1915 C 180 s 11 [For minimum age of 14 for employment in "any gainable occupation in theater, concert hall or place of amusement where intoxicating liquors are sold," see Table 1, A]	A	Under 16	Employment in concert or theatrical exhibition or performance in any place where intoxicating liquors are not sold Taking part in concert or theatrical exhibition given for profit
	B 16		Actor or performer in concert hall or room where intoxicating liquors are sold or given away Actor or performer in variety theater Any exhibition injurious to morals or health or dangerous to life or limb of child under 16 Any illegal or immoral, etc., exhibition *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music Physical development in respectable gymnasium or natatorium Amateur entertainments or theatricals for charity or not for profit in schools, churches, settlement houses, or boys' or girls' clubs [Taking part in concert or theatrical exhibition given for profit allowed on permit—See provisions in A, above]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. [No specific provision] 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 6 months, or both	D
Written consent of mayor of city or president of board of trustees of city or town where concert or entertainment takes place		1. [No specific provision] 2. Same as in D, above	E
Permit required, subject to the following conditions: (1) Issued by city or county superintendent of schools or deputy of either, his refusal to grant being subject to final decision of county or juvenile court upon appeal; (2) Granted only if employer has made suitable provisions for protection of child's moral and physical health and education; such reasonable terms and conditions as shall seem necessary and proper for safeguarding same may be made by issuing officer; written promise to comply with such conditions, under bond of not over $2,000, may be required of employer; (3) Kept on file at box office and subject to inspection of humane society, probation officers, and factory inspectors; (4) Subject to revocation by county juvenile court upon complaint of any person showing violation of conditions, etc.		1. Duty Deputy State labor commissioner [factory inspector] School board or local school authorities: Must report to enforcing officer complaints made to them of violations in theater, concert hall, or place of amusement State industrial commission: Shall "inquire into and supervise the enforcement * * * of the laws relating to child labor" 1. Power only [For authorities who may inspect permits, see column V] 2 First offense Minimum—$5 Maximum—$100 2. Second offense Minimum—$100 or imprisonment, or both Maximum—$500 or imprisonment for 90 days, or both	A
		1. Same as in A, above 2. Same as in A, above	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
CONNECTICUT General Statutes revision 1902 s 1163 (as amended by 1915 C 175	A 16		Rope or wire walking Dancing Skating Bicycling Gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Any exhibition injurious to the health or dangerous to the life or limb of child under 16
DELAWARE Revised Code 1915 C 90 s 3148, 3177, 3180 [Employment on stage of theater or concert hall or in connection with theatrical performance or other exhibition or show is prohibited under 16 except by permit tabulated in A-V]	A	Under 16	Appearance in connection with theatrical performance or other exhibition or show
R C 1915 C 70 s 2223, 2224	B 15		Rope or wire walking Dancing Acrobat or gymnast
	C "Minor child"		Any illegal or immoral, etc., exhibition
DISTRICT OF COLUMBIA Code 1911 p 443 s 7, 10; p 445 s 16; p 214 s 814 36 United States Statutes at Large p 990 [For regulations applying to employment "in theater" (minimum age 12; permit or certificate required 12 to 16; maximum hours 8 per day, 48 per week, and night work prohibited 7 p. m. to 6 a. m., under 16), see Table 1, A; Tables 2 and 3; Table 4, B. Those provisions are applicable, however, only when exemption therefrom is not obtained in accordance with provisions tabulated in A]	A	Under 16	Theatrical exhibition
	B 14		Acrobat, gymnast, contortionist, circus rider, rope walker, or in any exhibition of like dangerous character Street singer or street musician

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. [No specific provision] 2. Any offense Maximum—$250 or imprisonment for 1 year, or both	A
Permit required, subject to the following conditions: (1) Issued by State child labor inspector; (2) Limited to period not exceeding 2 weeks; (3) Such evidence must be presented as in opinion of issuing officer justifies permit		1. Duty State child labor inspector 1. Power only Any person: May make and prosecute complaints 2. First offense Minimum—$5 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2. Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both	A
		1. Duty Justice of the peace: On complaint 1. Power only Any person: May make complaint which must be investigated 2. Each offense Minimum—$20 Maximum—$100	B
		1. Same as in B, above 2. Same as in B, above	C
Written consent of one of the commissioners of the District of Columbia, exempting from provisions of the child labor act [C 1911 pp 441–445 s 1–17], is required; this permit specifies name of child, age, names and residence of parents or guardian, and place and character of exhibition		1. Duty Child labor inspectors [2 detailed privates of police force] Truant officers: "Shall visit the establishments named" [in C 1911 p 441 s 1—including theater, hotel, restaurant, club] and ascertain violations; Shall report violations to superintendent of schools and to the corporation counsel of the District of Columbia 2. Any offense Maximum—$50	A
		1. [No specific provision] 2. Any offense Maximum—$250 or imprisonment for 2 years, or both	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
FLORIDA Compiled Laws 1914 s 3237 [Any child under 12 who is found singing or playing on a musical instrument upon the street, or giving any public entertainment for gain, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—C L 1914 s 1208a]	A 14		Singing Playing on any musical instrument Rope or wire walking Dancing Contortionist, acrobat, or rider Any exhibition injurious to the health or dangerous to life or limb of child under 14 Any immoral, etc., exhibition *Exemptions:* Provision does not apply to: Singer or musician in church or school, or at any amateur concert or entertainment Learning music and social dancing
1913 C 648S s 3, 9, 12, 13, 19, 21 [The provisions tabulated in B apply to all employment on stage of theater and are therefore given also in Tables 1 and 4. The night-work prohibition would appear to exclude children under 16 from employment in theatrical exhibitions taking place at night]	B 14	14 to 16	Employment on stage of theater
GEORGIA [The certificates tabulated in C and D are alternative 14 to 14½] Code 1914 Political s 2141 C 1914 Penal s 756, 757, 1065	A 12		Rope or wire walking Gymnast, contortionist, circus rider, acrobat, or clown Any immoral, etc., exhibition
C 1914 Civil s 3149 (a), 3149 (b), 3149(d), 3149(e), 3149(g) C 1914 Pen s 1065 [The provisions in B to D (tabulated also in Tables 1 to 4) apply apparently to all employment in any place of amusement and would therefore include public exhibitions provided the term "place of amusement" is interpreted to cover theaters, etc. In that case the night-work prohibition would appear to exclude children under 14½ from employment in public exhibitions taking place at night]	B 12		Place of amusement
	C [See columns III and VI]	14 to 14½	Same as in B, above
	D [See columns III and VI]	12 to 14½	Same as in B, above

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. [No specific provision] 2. Any offense Maximum—$500 or imprisonment for 6 months	A
Maximum hours: 9 per day, 54 per week; employment for more than 6 days per week prohibited	8 p. m. to 5 a. m.	1. Duty State labor inspector Grand juries: Shall be charged by county and circuit judges, at beginning of each term of the court, to investigate violations 1. Power only Grand juries and county solicitors of criminal courts of record: "Have inquisitorial powers to investigate violations" Any person: May make complaint 2. Any offense Maximum—$50	B
		1. Duty State commissioner of commerce and labor: "Shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, especially those concerning the employment of child labor, and of women, and he shall take legal steps looking to the proper enforcement and due observance of such laws" 2. Any offense Maximum—$1,000, imprisonment for 6 months, or work in chain gang for 12 months—any one or more of these punishments	A
		1. Duty State commissioner of [commerce and] labor and his authorized assistants 2. Same as in A, above	B
Employment certificate required [For details, see Tables 2 and 3, A]	7 p. m. to 6 a. m.	1. Same as in B, above 2. Same as in A, above	C
Employment is permitted on temporary poverty certificate [For details, see Tables 2 and 3, B]	7 p. m. to 6 a. m.	1. Same as in B, above 2. Same as in A, above	D

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
HAWAII [No provisions]			
IDAHO 1911 C 159 s 171, 173 1913 C 77 s 7	A 16		Any exhibition injurious to the health or dangerous to the life or limb of child under 16 Singing Playing on musical instrument Rope or wire walking Dancing Gymnast, acrobat, contortionist, or rider Any immoral, etc., exhibition *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music
ILLINOIS Hurd's Revised Statutes 1913 C 38 s 492, 493, 495, 496 [Any child under 10 who is found singing or playing any musical instrument for gain upon the street or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—1915 p 368 s 1] [For different penalty and specific exemption of "any respectable entertainment" which may be applicable to the provisions tabulated in A, see note on page 4 (Illinois)]	A 14		Singing Playing on any musical instrument Rope or wire walking Dancing Gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Any exhibition injurious to the health or dangerous to the life or limb of child under 14 *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music
H R S 1913 C 48 s 20, 20h, 20i, 20m [The provisions tabulated in B would appear to prohibit child under 14 from employment in public exhibitions during most of the year]	B 14		Any work for wages or other compensation "during any portion of any month when the public schools * * * are in session" [Apparently applies to public exhibitions, as they are not specifically exempted]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State board of education (in cooperation with other departments of the State government) Probation officers or school trustees [or truant officers]: Shall visit "places of employment mentioned" [in 1911 C 159 s 166, 172] and ascertain violations therein, "and they shall bring complaint for offenses under this act to the attention of the prosecuting attorney for prosecution" 1. Power only Any reputable citizen: May bring complaint 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$250 or imprisonment for 6 months, or both	A
		1. [No specific provision. Justices of the peace, police justices, or police magistrates have original jurisdiction] 2. Any offense Minimum—$5 Maximum—$200	A
		1. Duty State factory inspector and his assistants and deputies under his supervision Local school board or school authorities: Must report to State factory inspector complaints made to them of violations in most regulated employments [For list, see H R S 1913 C 48 s 20h] 2. Each offense Minimum—$5 Maximum—$100	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
ILLINOIS—Continued H R S 1913 C 48 s 20b, 20c, 20h, 20l, 20m [See provisions in D, below, which might be interpreted as fixing a minimum age of 16 for employment in any theater or concert hall]	C	14 to 16 [See note in column I]	Employment in any "theater, concert hall, or place of amusement"
H R S 1913 C 48 s 20h, 20j, 20l, 20m [For minimum age of 14 for employment at "any gainful occupation" in any "theater, concert hall or place of amusement where intoxicating liquors are sold," see H R S 1913 C 48 s 20]	D 16		Employment in any "theater, concert hall, or place of amusement wherein intoxicating liquors are sold"
H R S 1913 C 48 s 20h, 20i, 20l [The provisions tabulated in E, while not specifically referring to minimum age, would appear to exclude child under 16 from employment in public exhibitions taking place at night] [For maximum hours 8 per day and night work prohibited 6 p. m. to 7 a. m. under 14 in employment in any work, see H R S 1913 C 48 s 20]	E [See column VI]	Under 16	Any gainful occupation [Apparently includes public exhibitions, as they are not specifically exempted]
H R S 1913 C 48 s 121–123	F	Girl of any age [Over 16—See provisions in E, above]	Place of amusement
INDIANA Burns' Annotated Statutes 1914 s 2623, 2625, 2627, 8042	A. 15		Rope or wire walking Acrobat, gymnast, contortionist, or rider Employment to sing, dance, act, or in any manner exhibit in dance house, concert saloon, theater, or place of entertainment where liquors are sold or given away, or with which any place for the sale of liquors is connected

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Age and school certificate required [For details, see Tables 2 and 3, A]		1. Same as in B, above 2. Same as in B, above	C
		1. Same as in B, above 2. Same as in B, above	D
Maximum hours: 8 per day, 48 per week	7 p. m. to 7 a. m.	1. Same as in B, above 2. Same as in B, above	E
Maximum hours: 10 per day		1. Duty State department of factory inspection 2. Each offense Minimum—$25 Maximum—$100	F
		1. Duty Mayor, police judge, or justice of the peace: Upon complaint State industrial board: Shall "examine into all violations of laws made for the benefit or protection of labor" and prosecute same 1. Power only Any person: May make complaint, which must be investigated 2. Each offense Minimum—$10 or $10 and imprisonment Maximum—$100 or $100 and imprisonment for 30 days	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
INDIANA—Continued B A S 1914 s 8022d, 8022f, 8042 [The provisions tabulated in B, which are also given in Table 1, would appear to cover employment in public exhibitions, since all employment in theater or place of amusement is prohibited]	B 16		Theater Place of amusement [Employment of boy under 16 or girl under 18 in concert hall is also apparently prohibited]
B A S 1914 s 2624, 2627, 8042	C 18		Singing, playing on musical instruments, or any mendicant business whatever, in streets, roads, or other highways
B A S 1914 s 2623, 2627, 8042	D Minor child		Employment for any illegal or immoral, etc., exhibition, or in any place where such exhibition takes place
IOWA Code 1897 Supplement 1913 s 2477–e, 2477–f C 1897 Supplemental Supplement 1915 s 2477–a, 2477–c, 2477–d [The provisions tabulated in A, which are given also in Tables 1 to 4, inclusive, appear to apply to public exhibitions, since all employment in places of amusement is regulated. The night-work prohibition would appear to exclude child under 16 from employment in performances in places of amusement taking place at night] [Any child under 10 who is found giving any public entertainment upon the street for pecuniary gain for self or another, or who accompanies or is used in the aid of any person so doing, is deemed dependent or neglected and may be declared a ward of the court—C 1897 Supp 1913 s 254–a14]	A 14	14 to 16	Place of amusement *Exemptions:* [The minimum age provision does not apply to child working in establishment or occupation owned or operated by parent]

[1] County attorneys, mayors, chiefs of police and their deputies, city and town marshals, sheriffs and their deputies, or any person authorized by judge of court of record

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State industrial board 2. First offense Minimum—$5 or $5 and imprisonment Maximum—$200 or $200 and imprisonment for 10 days 2. Subsequent offense Minimum—Imprisonment for 10 days Maximum—Imprisonment for 30 days [It may be that the penalty for "subsequent offense" would include also a fine of from $5 to $200, but the law is not clear]	B
		1. Same as in A, above 2. Any offense Minimum—$5 or $5 and imprisonment Maximum—$100 or $100 and imprisonment for 30 days	C
		1. Same as in A, above 2. Same as in A, above	D
Work permit required [For details, see Tables 2 and 3, A] Maximum hours: 8 per day, 48 per week	6 p. m. to 7 a. m.	1. Duty Commissioner of State bureau of labor statistics 1. Power only Deputies of commissioner of State bureau of labor statistics (including factory inspectors), and certain other officials: [1] May inspect Any person: May make complaint 2(a). Any offense Maximum—$100 or imprisonment for 30 days	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
KANSAS General Statutes 1909 s 5094–5098, 8017, 8020 1913 C 217 s 3 [The provisions tabulated in A, which are given also in Tables 1 to 4, inclusive, appear to apply to public exhibitions, since all employment in theater is regulated. The night-work prohibition would appear to exclude child under 16 from employment in theatrical exhibitions taking place at night]	A 14	14 to 16	Theater
G S 1909 s 5136, 5138, 5139, 8017, 8020 1913 C 217 s 3	B 14		Acrobat, gymnast, contortionist, or circus rider Rope walking Any exhibition of like dangerous character Street singer Street musician
[See column V]	C		
KENTUCKY Statutes 1915 s 33a.2, 331a.1, 331a.7, 331a.8, 331a.16, 2978c.7 [The provisions tabulated in B, which are also given in Tables 1 to 4, inclusive, appear to apply to public exhibitions, since all employment in theater, etc., is regulated. The night-work prohibition would appear to exclude child under 16 from employment in theatrical exhibitions taking place at night] [For prohibition of employment under 16 in certain immoral, etc., exhibitions, see St 1915 s 326, 330, 331]	A 14		Performing or appearing upon the stage in theater, motion-picture establishment, or other place of public amusement, "whether for pay or not"
[For minimum age of 16 for employment in theater, etc., where intoxicating liquors are sold, see Table 1, B]	B 14	14 to 16	Theater Motion-picture establishment

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Certificate of age required [For details, see Tables 2 and 3, A] Maximum hours: 8 per day, 48 per week	6 p. m. to 7 a. m.	1. Duty State commissioner of labor and industry: Shall "cause to be enforced all laws regulating the employment of children, minors and women" 2. Any offense Minimum—$25 or imprisonment for 30 days Maximum—$100 or imprisonment for 90 days	A
		1. Duty Same as in A, above, and also Sheriffs, deputy sheriffs, constables, and police officers: Shall aid any duly incorporated society having for its object the protection of children "in enforcement of all laws relating to the protection of children" 2. Any offense Maximum—$250 or imprisonment for 1 year, or both	B
[Any child under 10 who is found singing or playing any musical instrument upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—G S 1909 s 5100]			C
		1. Duty State labor inspectors, under the direction of the commissioner of agriculture, labor, and statistics: Shall report to State and to county attorney any violations occurring Truant officers: May inspect theaters and motion-picture establishments; Shall report violations to superintendent of schools, State labor inspector, or other authorized officer 2. First offense Minimum—$15 Maximum—$50 2. Second offense Minimum—$15 or imprisonment, or both Maximum—$100 or imprisonment for 30 days, or both 2. Subsequent offense Minimum—$200 or imprisonment for 30 days, or both	A
Employment certificate required [For details, see Tables 2 and 3, A] Maximum hours: 8 per day, 48 per week; employment for more than 6 days per week prohibited	6 p. m. to 7 a. m.	1. Same as in A, above 2. Same as in A, above	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
KENTUCKY—Continued [See Column V]	C		
LOUISIANA Wolff's Revised Laws Supplement 1904–1908 v 3 p 412; 1908 A 155 s 2–3 (as amended by 1914 A 186) 1912 A 184 s 1 [For minimum age 14 and certificates 14 to 16 for employment in theater or concert hall, or in or about place of amusement where intoxicating liquors are made or sold, see provisions in Table 1, A, and Table 2, A and B. Those provisions, however, appear to be applicable to public exhibitions only in so far as they are not covered by the later law tabulated here]	A 16 (actually or apparently)		Rope or wire walking Gymnast, wrestler, contortionist, rider, acrobat, or actor upon bicycle or similar mechanical vehicle or contrivance Singing Dancing Playing upon musical instrument Theatrical exhibition Any wandering occupation Any illegal or immoral, etc., exhibition Exhibition of child when insane, idiotic, or deformed Any exhibition dangerous or injurious to the life, limb, health, or morals of child under 16 *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music [Employment in] theatrical exhibition or as musician in concert on permit—See provisions in B, below
[Any child 17 years of age or under who is found singing or playing any musical instrument in any street, road, or public place, for alms, or who accompanies or is used in the aid of any person so doing, is deemed delinquent and may be declared a ward of the court—W R L Supp 1904–1908 v 3 p 393; 1908 A 83 s 9] [For maximum hours, 10 per day, 60 per week, for employment in theater or concert hall or in or about place of amusement where intoxicating liquors are made or sold, for boy under 18 or girl of any age, see provisions in Table 4, B]	B	Under 16	[Employment in] theatrical exhibition or as musician in concert *Exemptions:* Permit shall not be deemed to authorize: Employment in acrobatic, etc., or in dangerous, injurious, or immoral, etc., exhibitions—See provisions in A, above
MAINE 1905 C 123 s 1 (as amended by 1915 C 320 s 1), 2 (as amended by 1915 C 320 s 4), 9 1911 C 65 s 2, 11	A 16		Any illegal or immoral, etc., exhibition Any exhibition of child if insane, idiotic, or deformed Any exhibition dangerous or injurious to the life, limb, health, or morals of child under 16

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
[Any boy 17 years of age or under, or any girl 18 years of age or under, who is found singing or playing any musical instrument for gain upon the street or in any public place, is deemed dependent or neglected and may be declared a ward of the court—St 1915 s 331.e]			C
		1. Duty State commissioner of labor and assistant commissioners 2. Any offense Minimum—$25 or imprisonment, or both Maximum—$250 or imprisonment for 2 years, or both (In addition to above penalty, person, etc., holding license for theater shall forfeit same)	A
Permit required, subject to the following conditions: (1) Issued by judge of juvenile court or district court acting as a juvenile court; (2) Nonresident child must be accompanied by parent or guardian; (3) It must be shown to satisfaction of the court that child is receiving and will receive proper teaching in common school studies; (4) Bond, not to exceed $2,000 and conditioned to guarantee proper tuition and moral and physical health of child, may be required of employer; (5) Society for prevention of cruelty to children must be notified of application and has privilege of a hearing; (6) Revocable at will and discretion of issuing officer; (7) Shall specify nature, time, duration, and number of performances permitted and place and character of exhibition		1. Same as in A, above 2. Same as in A, above	B
		1. Duty State commissioner of labor [and industry] "Agents for the protection of children," sheriffs, deputy sheriffs, police officers, and constables: Shall enforce any act concerning the protection of children 2. Any offense Maximum—$100 or imprisonment for 60 days	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
MARYLAND Annotated Code 1911 v 3 (1914) art 27 s 344, 476; art 77 s 166; art 100 s 8, 34, 37, 48 [Employment on stage of theater or concert hall or in connection with theatrical performance or other exhibition or show is prohibited under 16 except by permit tabulated in A-V] [For minimum age and certificate provisions for employment in place of amusement, which, however, would appear to be applicable to employment in public exhibitions only in so far as it is not covered by those tabulated in A, see Table 1, A, and provisions in A and B, Tables 2 and 3. See also Table 1, G, for prohibition of employment under 18 to serve liquors in theater, etc.]	A	Under 16	Appearance in connection with theatrical performance or other exhibition or show
	B 14		Rope walking [See provisions in C, below] Acrobat, gymnast, contortionist, or circus rider "Exhibition of like dangerous character" Street singer Street musician
	C 16		Singing Dancing Playing on musical instrument Rope walking
MASSACHUSETTS Revised Laws 1902 C 46 s 13 (as amended by 1913 C 779 s 12) 1909 C 514 s 62 (as amended by 1913 C 779 s 20), 63 (as amended by 1913 C 779 s 21), 76, 77 [For prohibition of employment under 18 in that part of theater, etc., where intoxicating liquors are sold, see provisions in Table 1, F] [The provisions tabulated in Table 4, A, while not specifically referring to minimum age, would apparently, by prohibiting employment of child under 14 in any occupation between 6 p. m. and 6.30 a. m., prevent the employment of such child in theatrical exhibitions when such employment occurs after 6 p. m.]	A 15		Singing Dancing on stage Playing on musical instrument Rope or wire walking Riding or performing as gymnast, contortionist, or acrobat in circus, theatrical exhibition, or public show *Exemptions:* Provision does not apply to: Education in vocal or instrumental music or dancing Musician in church, chapel, school, or school exhibition [Festival, concert, or musical exhibition, on permit—See provisions in D, below]
	B 15		Employment in theatrical exhibition or public show as acrobat or contortionist or in feats of gymnastics or equestrianism, or in such a manner as (in the opinion of the board authorized to grant licenses) would corrupt the morals [of said children] or injure their health *Exemptions:* [See provisions in D, below]
	C 15 (if they "belong to the public schools")		Performer on the stage in any capacity in theatrical exhibition *Exemptions:* [See provisions in D, below]
	D	Under 15	Festival, concert, or musical exhibition

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Permit required, subject to the following conditions: (1) Issued by the chief of the State bureau of statistics and information; (2) Limited to period not exceeding 2 weeks; (3) Such evidence must be presented as in opinion of issuing officer justifies permit		1. Duty Chief of State bureau of statistics and information Inspectors of factories, attendance officers, and other authorized officers 1. Power only Any person: May make and prosecute complaints 2. First offense Maximum—$50 2. Second offense Maximum—$200 or imprisonment for 30 days, or both	A
		1. [No specific provision] 2. Any offense Maximum—$100 or imprisonment for 90 days, or both	B
		1. [No specific provision] 2. Any offense Minimum—$50 or imprisonment for 30 days, or both Maximum—$250 or imprisonment for 1 year, or both	C
		1. Duty Attendance officers: "Shall inquire into" all cases of children out of school and without permits; shall apprehend and take to school child under 21 illegally employed; shall make complaint May inspect theaters and places of public exhibition 2. Any offense Maximum—$200 or imprisonment for 6 months	A
		1. Same as in A, above [License shall not be granted to theatrical exhibition or public show employing such children in such manner] 2. [No specific provision]	B
		1. Same as in B, above, including bracketed note 2. [No specific provision]	C
Special written permission of the mayor and alderman of a city, or of the selectmen of a town, required		1. Same as in A, above 2. Same as in A, above	D

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
MICHIGAN Howell's Annotated Statutes 1913 s 4019 (as amended by 1915 No 255), 4026, 4029, 4062 [The provision tabulated in A is the same as that given in Table 1, C, and applies only to such employment in public exhibitions as is not covered by "*Exemptions*" in column IV] [A preceding section of the same act — H A S 1913 s 4018 (as amended by 1915 No 255)—fixes a minimum age of 15 and may require an employment certificate 15-16 for employment "in or in connection with" any theater, but, since it is subject to the same exemption as that tabulated in column IV, it would appear to be made inoperative, in so far as it applies to public exhibitions, by the provision tabulated in A]	A 16		"In or about" the following: Theater Variety or burlesque show Moving-picture show Other kind of playhouse Music or dance hall *Exemptions:* Employment by any traveling theatrical company in "acting a part in the productions of such company"
H A S 1913 s 3921, 14744	B 16		Rope or wire walking Gymnast, contortionist, rider, or acrobat Dancing Any immoral, etc., exhibition Any exhibition injurious to the health or dangerous to the life or limb of child under 16
H A S 1913 s 4018, 4026, 4029, 4062	C 21		"Theater, concert hall, or place of amusement where intoxicating liquors are sold"
H A S 1913 s 4026, 4029, 4033, 4062	D Girl of any age		Dancing or furnishing music in saloon or barroom where spirituous or intoxicating liquors or malt, brewed, or fermented liquors are sold or kept for sale
[See column V]	E		

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State factory inspectors 1. Power only Any citizen: May make complaint 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$100 or imprisonment for 90 days, or both	A
		1. [No specific provision] 2. Any offense Maximum—$250 or imprisonment for 1 year, or both	B
		1. Same as in A, above 2. Same as in A, above	C
		1. Same as in A, above 2. Same as in A, above	D
[Any child under 12 who is found singing or playing any musical instrument as a business, or who accompanies or is used in the aid of any person so doing, shall be deemed dependent and neglected and may be declared a ward of the court—A S 1913 s 11644 (as amended by 1915 No 308 s 1)]			E

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
MINNESOTA General Statutes 1913 s 3819, 3847, 3848, 8482 [For laws fixing minimum age of 14 for "exhibiting child" in any business or service during school term, and requiring certificate 14 to 16 for employment in all occupations during school term, which would be applicable to employment in public exhibitions only in so far as they are not covered by occupations tabulated in column IV, see Table 1, A, and Tables 2 and 3] [The provisions tabulated in B, which are also given in Table 1, would appear to apply to public exhibitions, since all employment in theater, etc., is regulated]	A 10	10 to 16	Employment in theatrical exhibition Musician in concert
	B 16		Theater Concert hall Place of amusement *Exemptions:* Provision does not apply to: Singer or musician in church or school Teaching or learning music Employment of child 10 to 16 in theatrical exhibition or as musician in concert, on permit—See A, above
G S 1913 s 3819, 8682	C 18 (actually or apparently)		Rope or wire walker, dancer, gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Any exhibition dangerous or injurious to life, limb, health, or morals
[See column V]	D		
MISSISSIPPI 1914 C 163 s 3, 4 1914 C 165 s 1, 2 [The provisions given in A, which are tabulated also in Table 4, would appear to apply to public exhibitions, since all employment in theater is regulated]	A	Girl of any age	Theater

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Permit required, subject to the following conditions: (1) Application must be made 72 hours previous to performance; (2) Issued by mayor of city or president of council of village, in his discretion, and notice of application and consent forwarded by him to State commissioner of labor and to secretary of State child labor committee 48 hours previous to performance; (3) May be revoked by State commissioner of labor if it appears to him, or to secretary of above committee, or their assistants, that such consent is in violation of any existing law or that the character of the performance is such as to be dangerous to the life or limb, or injurious to the health or morals. If said revocation is for any other reason than the unsuitableness of proposed place, it bars child from appearance in proposed exhibition within State for 1 year		1. Duty State department of labor and industries 1. Power only Truant officers: Have power of inspection and shall report violations to school authorities and to State commissioner of labor 2. Any offense Maximum—$100 or imprisonment for 3 months	A
		1. Same as in A, above 2. Same as in A, above	B
		1. Duty State department of labor and industries: "Shall enforce all laws regulating the employment of minors" 2. Any offense Minimum—$50 or imprisonment for 30 days, or both [See G S 1913 s 8482 for maximum penalty for misdemeanor which might be applicable]	C
[Any child under 10 who is found singing or playing any musical instrument on the street, or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—G S 1913 s 7162, 7178]			D
Maximum hours: 10 hours per day, 60 per week, except in case of emergency or where public necessity requires		1. Duty State factory inspector 2. Each offense Minimum—$10 or imprisonment for 5 days, or both Maximum—$50 or imprisonment for 30 days, or both (Each day's violation a separate offense)	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
MISSOURI Revised Statutes 1909 v 2 s 4741–4743, 7824, 7825 [For laws requiring certificate for employment of children 14 to 16 in all occupations, and prohibiting employment of child under 16 in any gainful occupation between 7 p. m. and 7 a. m., or more than 8 hours per day, 48 per week, see Table 2, Table 3, and Table 4, A]	A 14 [See provisions in B and D, below]		Singing Playing on musical instrument Rope or wire walking Dancing Gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Any exhibition injurious to the health or dangerous to life or limb of child under 14 *Exemptions:* Provision does not apply to: Singer or musician in church or school or at any respectable entertainment Teaching or learning music
R S 1909 v 1 s 1726c–d (as added by 1911 p 132) R S 1909 v 2 s 7824, 7825 [The provisions tabulated in B, which are also given in Table 1, would appear to apply to public exhibitions, since all employment in places listed is prohibited]	B 16		Concert hall Moving-picture show Place of amusement
R S 1909 v 2 s 4740	C Girl of any age		Dancer or singer in dramshop, saloon, or place where spirituous, malt, or vinous liquors are sold at retail
R S 1909 v 1 s 1716 (as amended by 1911 p 132), 1726d (as added by 1911 p 132) R S 1909 v 2 s 7824, 7825 [See note in A, above] [The provision given in D, which is also tabulated in Table 4, is not specifically a minimum age provision, but it would appear to exclude children under 16 from employment in public exhibitions taking place at night. See also B, above]	D [See columns III and VI]	Under 16	Any gainful occupation [Apparently includes public exhibitions, as they are not specifically exempted]
R S 1909 v 2 s 7815 (as reenacted by 1913 p 400), 7816 (as reenacted by 1911 p 311), 7816a (as added by 1913 p 401)	E [See provisions in B, above]	Girl of any age	Place of amusement
[See column V]	F		

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State factory inspector: In cities of 10,000 or over "shall enforce all laws relating to the inspection" of certain establishments, among which are specified theaters, concert halls, or places of public amusement [For list, see R S 1909 v 2 s 7824] 2. First offense Maximum—$100 or imprisonment for 3 months, or both 2. Subsequent offense Maximum—$500 or imprisonment for 2 years, or both	A
		1. Same as in A, above 2. Any offense Maximum—$100 or imprisonment for 1 year, or both (Each day's violation a separate offense)	B
		1. [No specific provision] 2. Any offense Minimum—$50 or imprisonment for 3 months, or both Maximum—$500 or imprisonment for 12 months, or both (In addition to above penalty, license shall be revoked and no license shall be issued to violator for 2 years thereafter)	C
	7 p. m. to 7 a. m.	1. Same as in A, above 2. Same as in B, above	D
Maximum hours: 9 per day, 54 per week		1. Duty Department of factory inspection 2. Each offense Minimum—$25 Maximum—$100	E
[Any child under 10 who is found singing or playing any musical instrument for gain upon the street or giving any public entertainment, or who is used in the aid of any person so doing, is deemed neglected and may be declared a ward of the court—1913 p 148 s 2]			F

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
MONTANA Revised Codes 1907 s 1660, 1669, 8111, 8347	A 16		Singing Playing on musical instrument Rope walking Dancing Any mendicant or wandering business (All above on public street or highway)
R C 1907 s 1660, 1669, 8376	B Girl of any age		Playing on musical instrument, dancing, promenading, or otherwise exhibiting herself in any drinking saloon, dance cellar, ballroom, public garden, public highway, "common park or street," or in any steamboat, or railroad car, or in any place whatsoever, if in such place there is connected therewith the sale or use as a beverage of any intoxicating, spirituous, vinous, or malt liquors
[See column V]	C		
NEBRASKA Revised Statutes 1913 s 3575–3578, 3580, 3582–3586 [The provisions tabulated in A, which are given also in Tables 2, 3, and 4, appear to apply to public exhibitions, since all "work in" places listed is regulated]	A 14 [The night-work prohibition apparently raises this minimum age to 16 for evening performances]	14 to 16	Theater Concert hall Place of amusement
[See column V]	B		

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State bureau of child and animal protection: Was created "for the purpose of enforcing the laws * * * pertaining to children"; Has powers of inspection 1. Power only Any reputable citizen: May make complaint 2. Each offense Maximum—$500 or imprisonment for 6 months, or both	A
		1. Duty State bureau of child and animal protection: Has duties and powers as specified in A, above 2. Any offense Minimum—$50 or imprisonment, or both Maximum—$500 or imprisonment for 3 months, or both	B
[See Tables 1, 2, and 3 for laws regulating employment of child under 16 in any occupation during school term and Table 5 for compulsory school-attendance provisions which might affect employment in public exhibitions]			C
Employment certificate required [For details, see provisions in A and B, Tables 2 and 3] Any member of the State board of inspection may demand the examination, by some regularly licensed physician to be selected by the board, of any child under 16 who may seem physically unable to do the work at which it may be employed, and no child under 16 shall be employed who can not obtain a certificate of fitness from such physician	8 p. m. to 6 a. m.	1. Duty State deputy commissioner of labor Truant officers 1. Power only Any person: May cause enforcement 2. Each offense Maximum—$50	A
[Any child under 10 who is found singing or playing any musical instrument upon the street, or giving any public entertainment, or who accompanies or is used in aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—R S 1913 s 1244]			B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
NEVADA Revised Laws 1912 s 6823, 6285	A 18		Any immoral, etc., exhibition Any exhibition dangerous or injurious to life, limb, health, or morals
R L 1912 s 6824, 6285 The provisions tabulated in B, which are given also in Table 2, A, would appear to apply to employment in public exhibitions, since they are not specifically exempted, as would also the 8-hour day, 48-hour week, prescribed by 1913 C 232 s 8, 9, for boys under 16 and girls under 18 in any gainful occupation—See Table 4, A]	B [For minimum age of 14 for employment in any business or service during school hours, see Table 1, A]	Boy under 14 Girl under 16	Any inside employment [See note in column I] *Exemptions:* [There are certain exemptions not applicable to employment in public exhibitions]
[See column V]	C		
NEW HAMPSHIRE Public Statutes 1901 C 92 s 18 P S 1901 C 93 s 15 (as amended by 1901 C 61) P S 1901 C 265 s 3 1911 C 198 s 2	A 14		Dancing Playing on musical instrument Singing Walking on a wire or rope Riding or performing as a gymnast, contortionist, or acrobat (Above in circus or theatrical exhibition or in any public place whatsoever) *Exemptions:* Provision does not apply to: Education in vocal or instrumental music Musician in church or school or school exhibition Concert or musical exhibition
P S 1901 C 93 s 15 (as amended by 1901 C 61) 1911 C 162 s 6 (as amended by 1913 C 224 s 2), 16, 17, 20 1911 C 198 s 2 [The provisions tabulated in B, which are also given in Table 4, A, apparently apply to employment in public exhibitions, since they are not specifically exempted, and would appear to exclude boys under 16 and girls under 18 from employment in public exhibitions taking place at night]	B [See columns III and VI]	Boy under 16 Girl under 18	Any gainful occupation [See note in column I] *Exemptions:* [There are certain exemptions not applicable to employment in public exhibitions]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. [No specific provision] 2. Any offense Maximum—$500 or imprisonment for 6 months, or both	A
"Written permit" of judge of district court required [For details, see Tables 2 and 3]		1. [No specific provision] 2. Same as in A, above	B
[Any child under 10 who is found singing or playing any musical instrument for gain or giving any public entertainment upon the street, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—R L 1912 s 728]			C
		1. Duty State labor commissioner: Shall, "whenever he shall deem it necessary," prosecute violations of laws "regulating the employment of help" Truant officers: As to employment during school hours 1. Power only State superintendent of public instruction or his deputy 2. Any offense Maximum—$100	A
Maximum hours: 11 per day, 58 per week	7 p. m. to 6.30 a. m. [There are certain exceptions not applicable to employment in public exhibitions]	1. Duty State labor commissioner: Has duties as specified in A, above Truant officers State superintendent of public instruction and State inspectors appointed by him and under his supervision 2. Any offense Minimum—$5 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
NEW JERSEY Compiled Statutes 1910 v 2 Infants s 47–49 p 2816	A 15		Rope or wire walking [See later law tabulated in D, below] Acrobat, gymnast, contortionist, or rider Singing, dancing, acting, or in any manner exhibiting in dance house or in "concert saloon, theater or place of entertainment where wines or spirituous or malt liquors are sold or given away" or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected by passageway or entrance [See later law tabulated in D, below]
	B 18		"Singing, playing on a musical instrument, * * * in the streets, roads or other highways of this State" [See later law tabulated in D, below]
	C "Minor child"		Any illegal or immoral, etc., exhibition
C S 1910 v 2 Crimes s 56 p 1763, s 218 p 1812	D 18		"Singing and playing on musical instruments, rope walking, dancing, * * * in the streets, roads and other highways or public places of this State"
NEW MEXICO 1909 C 101 s 1, 3, 4	A Girl of any age		Singing, reciting, dancing, playing on musical instrument, or giving any theatrical or other exhibition in saloon
NEW YORK Consolidated Laws 1909 v 4 Penal C 40: Art 44 s 485; Art 174 s 1937 [For minimum age of 14 and regulations 14 to 16 for employment in theater or place of amusement, which, however, apparently apply to employment in public exhibitions only in so far as such employment is not covered by the provisions tabulated in A and B, see provisions in A, Tables 1–4]	A 16		Rope or wire walking Gymnast, wrestler, contortionist, rider, or acrobat, or actor upon any bicycle or similar mechanical vehicle or contrivance Illegal or immoral, etc., exhibition Exhibition of child when insane, idiotic, or deformed Exhibition dangerous or injurious to the life, limb, health, or morals of child under 16 The following occupations except when employment therein is authorized by permit tabulated in B, below: Singing Dancing Playing upon a musical instrument Theatrical exhibition Wandering occupation *Exemptions:* Provision does not apply to: Singer or musician in church, school, or academy Teaching or learning music [See provisions in B, below]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. [No specific provision] 2. Each offense Minimum—$50 Maximum—$100 (Person employing child contrary to laws of State incurs maximum penalty of fine of $100 or imprisonment for 1 year, or both—1915 C 246 s 1, 2)	A
		1. [No specific provision] 2. Same as in A, above	B
		1. [No specific provision] 2. Same as in A, above	C
		1. [No specific provision] 2. Any offense Maximum—$1,000 or imprisonment for 3 years, or both	D
		1. Duty Sheriff, deputy sheriff, constable, city marshal, and police officers: Are penalized upon failure to arrest offenders for violations of which they have knowledge 2. Any offense Maximum—$100 or imprisonment for 6 months, or both	A
		1. [No specific provision] 2. Any offense Maximum—$500 or imprisonment for 1 year, or both	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
NEW YORK—Continued	B	Under 16	Musician in concert Employment in theatrical exhibition
NORTH CAROLINA [No provisions]			
NORTH DAKOTA Compiled Laws 1913 s 1411–1413	A 16		"Theater, concert hall, or place of amusement wherein intoxicating liquors are sold"
[See column V]	B		
OHIO Page and Adams' Annotated General Code 1912 s 871–22 (as added by 1913 p 95), 12993–12996 (as amended by 1913 p 864), 13007–7 to 13007–11 (as added by 1913 p 864) [The provisions tabulated in A, which are given also in Tables 1, 2, 3, and 4, would appear to apply to employment on the stage in places of amusement, since such employment is not specifically exempted. The night-work prohibition would appear to exclude boys under 16 and girls under 18 from such employment at night. Section 13007–3 (as added by 1913 p 864) fixes a minimum age of 16 for boys and 18 for girls in "theater and other place of amusement" except on the stage "when not otherwise prohibited by law"] [For hours of labor regulations for boy 16 to 18 and girl 18 to 21, for employment in place of amusement, see Table 4, B]	A Boy 15 Girl 16 [See columns III and VI]	Boy 15 to 16 Girl 16 to 18	Place of amusement

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Permit required, subject to the following conditions: (1) Application must be made previous to performance; (2) Issued by mayor of the city or president of the board of trustees of village upon 48 hours' previous notice of application having been sent in writing to society for prevention of cruelty to children, if there be such a society within the county; (3) Subject to revocation at will by issuing officer		1. [No specific provision] 2. Same as in A, above	B
		1. Power only Peace officers: May make complaint Any person: May make complaint 2. Each offense Minimum—$20 Maximum—$50	A
[Any child under 18 who is found singing or playing any musical instrument or giving any public entertainment for gain upon the streets, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—C L 1913 s 11403]			B
Age and schooling certificate required [For details, see Tables 2 and 3, A] Maximum hours: 8 per day, 48 per week; employment for more than 6 days per week prohibited	6 p. m. to 7 a. m.	1. Duty Factory inspectors [State industrial commission] Truant officers Other officers charged with enforcement of laws relating to employment of minors 1. Power only Any person: May prosecute violations 2. First offense Minimum—$5 Maximum—$50 2. Second offense Minimum—$50 or imprisonment, or both Maximum—$200 or imprisonment for 30 days, or both 2. Third offense Minimum—$200 or imprisonment, or both Maximum—Fine or imprisonment for 60 days, or both (All the above penalties apply to "any violation" of the provisions of this chapter. The following specific penalty is imposed for failure to procure and keep on file employment certificates for children under 16) 2. Any offense Minimum—$25 Maximum—$100	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
OHIO—Continued P & A A G C 1912 s 871-22 (as added by 1913 p 95), 871-24 (as added by 1913 p 95), 980, 7770 (as amended by 1913 p 864), 7771 (as amended by 1914 p 225), 12968 (as amended by 1913 p 906), 12969, 12986 [P & A A G C 1912 s 7765 (as amended by 1913 p 864) and 7766 (as amended by 1914 p 129), by requiring certificate which proves boy to be 15 and girl to be 16, apparently makes those ages the minimum for employment in all occupations—See Table 2, B]	B 14 [See note in column I]		Singing Playing on musical instrument Rope or wire walking Dancing Taking part in, or appearing in connection with a moving-picture exhibition or performance given in a theater or place of public amusement Gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Exhibition injurious to health or dangerous to life or limb of child under 14 *Exemptions:* Provision does not apply to: Taking part, without remuneration, with consent of parent or guardian, in a church or school, or at a concert or entertainment given for charitable purposes, or by a church or school, or religious, etc., institution
OKLAHOMA Revised Laws 1910 s 3728, 3733, 3734, 3742 [The provisions tabulated in A and B, which are also given in Tables 1 to 4, inclusive, apparently apply to public exhibitions, since all employment in theater is regulated]	A 14	Under 16 [14 to 16]	Theater
[The prohibition tabulated in B, though not strictly a minimum age provision, appears to exclude boy under 16 and girl under 18 from employment in theatrical exhibitions taking place at night]	B [See columns III and VI]	Boy under 16 Girl under 18	Same as in A, above
[See column V]	C		
OREGON Lord's Oregon Laws 1910 s 4121 (as amended by 1911 C 243), 4425, 4426, 5016 [The provisions tabulated in A forbid child to "participate" without permit, but employer is not mentioned except as specified in column V]	A	Under 16	Participating in public entertainment where an admission fee is charged [See note in column I]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State industrial commission Truant officers 2. Any offense Maximum—$200 or imprisonment for 6 months, or both (Any person convicted of a violation of any law relating to employment of minors, who again violates any such law, shall be imprisoned for not less than 10 nor more than 30 days)	B
Age and schooling certificate required [For details, see provisions in A and B, Tables 2 and 3] [For provision fixing maximum of 8 hours per day, 48 per week, and requiring 1 hour mealtime, for children under 16 in any gainful occupation, which would appear to be applicable here, see Table 4, A]		1. Duty State commissioner of labor 2. Any offense Minimum—$10 or imprisonment for 10 days, or both Maximum—$50 or imprisonment for 30 days, or both	A
	6 p. m. to 7 a. m	1. Same as in A, above 2. Same as in A, above	B
[Any child under 8 who is found singing or playing any musical instrument upon the street or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—R L 1910 v 1 s 4412]			C
Written permission of the judge of the juvenile court to child, parent, or guardian, or manager of the place of amusement or public entertainment in which child is to take part		1. Duty State commissioner of labor statistics and inspector of factories and workshops: Shall cause enforcement of all laws regulating the employment of children, minors, and women Truant officers (in counties of less than 100,000): Shall see that the child labor law is enforced 2. [There appears to be no specific provision for penalty for employer, but child participating without permission is deemed dependent and may be declared a ward of the court]	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
OREGON—Continued [See column V]	B		
PENNSYLVANIA 1879 Pamphlet Laws 73 s 3; Stewart's Purdon's Digest 1903 v 1 p 316 1879 P L 142 s 2; S P D 1903 v 2 p 1875 1879 P L 142 s 3; S P D 1903 v 2 p 1875 1879 P L 142 s 4; S P D 1903 v 2 p 1875 1879 P L 142 s 6; S P D 1903 v 2 p 1877 1879 P L 142 s 8; S P D 1903 v 2 p 1877 1901 P L 220 s 1; S P D 1903 v 1 p 318 [See Table 1, A, for minimum age of 14 for employment in any occupation or establishment, which would apparently include employment in public exhibitions since they are not specifically exempted—1915 P L 286]	A 15		Singing [See provisions in C and D, below] Dancing Exhibiting (All above in dance house, concert saloon, theater, or place of entertainment, where wines or spirituous or malt liquors are sold or given away, or with which any place for sale of wines, etc., is connected)
	B 15		Rope or wire walking Acrobat, gymnast, contortionist, or rider
	C 18		Singing or playing on musical instrument in street, road, or other highway
	D 18		The following without consent of parent or guardian: Performing in theater or athletic exhibition Singing Playing upon musical instrument
	E Any minor		Any illegal or immoral, etc., exhibition, or employment where any such exhibition takes place
PHILIPPINE ISLANDS 1908 No 1868 s 2 (as amended by 1913 No 2258), 4 Penal Code 1911 art 489 p 117	A 12 (if employer's own child or descendant) 16 (if not employer's own child or descendant)		Employment by professional acrobat, gymnast, ropewalker, diver, animal tamer, bull fighter, circus manager, etc., in any exhibition of this kind
	B 16		Performing any dangerous feat of balancing, of strength, or of contortion

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
[Any child under 14 who is found singing or playing any musical instrument upon the street or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—L O L 1910 s 4406]			B
		1. Duty Constables and policemen: Shall aid in bringing offenders before magistrate or justice of the peace, who shall issue warrant 1. Power only Mayors (in cities of the first class): May enforce provisions of act and annul license for holding exhibition Agents of any humane society: May, when so authorized, act as police officers or constables, with power to arrest offenders Any person: May make complaint 2. Each offense Minimum—$50 Maximum—$100	A
		1. Same as in A, above 2. Same as in A, above	B
		1. Same as in A, above 2. Same as in A, above	C
		1. Power only Mayors (in cities of the first class): Have powers as specified in A, above 2. First offense Minimum—$50 Maximum—$100 2. Second offense Minimum—Imprisonment for 1 year Maximum—Imprisonment for 3 years	D
		1. Same as in A, above 2. Same as in A, above	E
		1. Duty Philippine Bureau of Labor 2. Any offense Minimum—125 pesetas and the penalty of prisión correccional in its minimum and medium degrees Maximum—1,250 pesetas and the penalty of prisión correccional in its minimum and medium degrees	A
		1. Same as in A, above 2. Same as in A, above	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
PORTO RICO 1913 No 42 s 8 (as amended by 1913 Extraordinary Session No 139), 12, 14	A 14		Exhibition dangerous or injurious to health and morals
Revised Statutes and Codes 1911 s 1777	B 16		Exhibition in acrobatic feat endangering life of child under 16
RHODE ISLAND General Laws 1909 C 139 s 4–6	A 16		Rope or wire walking Gymnast, wrestler, contortionist, equestrian performer, or acrobat Rider upon bicycle or mechanical contrivance Any illegal or immoral, etc., exhibition Any exhibition injurious to the health or morals or dangerous to the life or limb of child under 16
	B	Under 16	Dancing, theatrical, or musical exhibition *Exemptions:* Dancing, theatrical, or musical exhibition in connection with churches, schools, or private instruction in dancing or music, or under auspices of a Rhode Island society organized for religious, charitable, literary, social, musical, etc., purposes
SOUTH CAROLINA [No provisions]			
SOUTH DAKOTA 1903 C 88 s 1, 3 1913 C 240 s 4	A 14		Actor, performer, or singer on the streets Concert hall or room where intoxicating liquors are sold or given away Variety theater Any illegal or immoral, etc., exhibition Any exhibition injurious to the health or morals or dangerous to the life or limb of child under 14
1907 C 135 art 7 s 150 1913 C 240 s 4	B 15		Any gainful occupation in the following during school hours: "Theater, concert hall or place of amusement where intoxicating liquors are sold"
[See column V]	C		

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty Porto Rican Bureau of Labor 2. First offense Minimum—$25 Maximum—$100 2. Subsequent offense Minimum—$100 Maximum—$1,000	A
		1. [No specific provision] 2. Each offense Minimum—$5 or imprisonment Maximum—$15 or imprisonment for 30 days	B
		1. Power only Town sergeant, city chief of police, or any agent of the Rhode Island Society for the Prevention of Cruelty to Children: May enter any place where child may be detained or employed in violation of these provisions, and hold child as witness to testify upon trial of violator [See also G L 1909 C 139 s 1] 2. Each offense Maximum—$250 or imprisonment for 1 year, or both	A
Permit required, consisting of written consent, revocable at will, of mayor of city or president of town council where child is to be employed		1. Same as in A, above 2. Same as in A, above	B
		1. ["Every * * * place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the county superintendent of schools"] 2. First offense Maximum—$100 or imprisonment for 30 days, or both 2. Subsequent offense Maximum—$200 or imprisonment for 6 months	A
		1. Same as in A, above 2. Any offense Minimum—$10 Maximum—$50	B
[Any child under 18 who is found playing any instrument of music or singing on the streets or public highways is deemed dependent or neglected and may be declared a ward of the court—1915 C 119 s 1, 10]			C

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
TENNESSEE [See column V]	A		
TEXAS [No provisions]			
UTAH 1911 C 113 s 4 (as amended by 1913 C 76) 1911 C 144 s 1, 5, 13, 14 [The provisions tabulated in A, which are given also in Table 1, apparently apply to public exhibitions, since all employment in theater and concert hall is regulated]	A 14	[See column V]	Theater Concert hall
Compiled Laws 1907 s 4243, 4244 1911 C 113 s 4 (as amended by 1913 C 76)	B Girl of any age		Dancing, promenading, or otherwise exhibiting herself in any drinking saloon, dance room or cellar, public garden, public highway, or in any place whatsoever *Exemptions:* Above occupations in theater [See provisions in A, above]
	C Girl of any age		Playing upon any musical instrument in any drinking saloon, dance room or cellar, public garden, public highway, common, or street, or on a vessel, steamboat, or railway car, or in any immoral, etc., place
VERMONT [No provisions]			
VIRGINIA Code 1904 s 1790c(7) (as added by 1914 C 321) C 1904 s 3795a(2), 3795a(3), 3795a(7), 3795a(8)	A 14		Rope or wire walking Gymnast, contortionist, rider, or acrobat Any immoral, etc., exhibition Any exhibition injurious to the health or morals or dangerous to the life or limb of child under 14

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
[There are no specific provisions. Any child under 14 who is found singing or playing any musical instrument upon the streets or giving any public entertainment, or who accompanies or is used in aid of any person so doing, is deemed dependent and may be declared a ward of the court—1911 C 58 p 111 s 1]			A
[It may be inferred, though it is not clear from the law, that an employment certificate is required for employment of child over 14 in these occupations—See Table 2, A-III. For regulations governing employment certificates, see Tables 2 and 3, A]		1. Duty State commissioner of immigration, labor, and statistics: Must "investigate and report to the proper authorities all violations of law regarding the conditions surrounding the employment of children, minors and women and the laws established for the protection of all employees in factories, mines, mills, and other institutions where labor is employed" "Any authorized inspector" [State commissioner of immigration, labor, and statistics] or truant officer: Shall demand from "any employer" proof of age of child apparently under 14, and forbid employment if such proof be not produced 2. Any offense Minimum—$25 or imprisonment for 10 days, or both Maximum—$200 or imprisonment for 30 days, or both	A
		1. Duty State commissioner of immigration, labor, and statistics: Has duties as specified in A, above 2. Any offense Maximum—$300 or imprisonment for 3 months, or both	B
		1. Same as in B, above 2. Same as in B, above	C
		1. Duty State commissioner of labor (chief factory inspector): "Shall secure the enforcement of all laws * * * relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions" 2. Any offense Maximum—$200 or imprisonment for 12 months, or both	A

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
WASHINGTON Pierce's Code 1912 title 135 s 27, 387 P C t 291 s 101	A 18		Any immoral, etc., exhibition Any exhibition dangerous or injurious to life, limb, health, or morals
P C t 135 s 1495 P C t 291 s 101	B Girl of any age		"Theater, or place of amusement, where intoxicating liquors are sold as a beverage"
[See column V]	C		
WEST VIRGINIA Hogg's Code 1913 C 144 s 5176, 5177, 5178 [Any child under 10 who is found singing or playing any musical instrument for gain upon the streets or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—1915 c 70 s 1]	A 15		Rope or wire walking Acrobat, gymnast, contortionist, or rider Singing, dancing, acting, or being exhibited in any manner in any dance house, concert saloon, theater, or place of entertainment where wines or spirituous or malt liquors are sold or given away, or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected by passageway or entrance
	B 18		Singing or playing on musical instrument in streets, roads, or other highways
	C Any minor		Any illegal or immoral, etc., exhibition, or in place where same occurs
WISCONSIN Statutes C 83 s 1728d.1 St C 110a s 2394–52 St C 186 s 4587a [See Table 1, C, for provision fixing minimum age of 16 for employment in immoral, etc., occupations]	A 14 [See note in column I]		Any immoral, etc., exhibition Any exhibition injurious to the health or dangerous to the life or limb of child under 14
St C 83 s 1728d.1, 1728o, 1728o–1 St C 110a s 2394–52 [The provision tabulated in B forbids merely the granting of license for theatrical exhibitions under conditions specified]	B 15		Employment in theatrical exhibition or public show as acrobat, contortionist, or in any feat of gymnastics or equestrianism, when, in the opinion of the board of officers authorized to grant licenses, such children [under 15] are employed in such manner as to corrupt their morals or impair their physical health [See note in column I]

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
		1. Duty State commissioner of labor and his assistants 2. Any offense Maximum—$250 or imprisonment for 90 days	A
		1. Same as in A, above 2. Any offense Minimum—$500 or $500 and imprisonment for 6 months	B
[For school exemption certificate required for employment under 15 in any occupation during school hours which would apparently apply to employment in public exhibitions, see provisions in D, Tables 2 and 3. Any child under 12 who is found singing or playing on any musical instrument for gain upon the public street or giving any public entertainment, or who accompanies or is used in the aid of any person so doing, is deemed dependent and may be declared a ward of the court—1913 C 160 s 1 subdivision 18]			C
		1. [No specific provision] 2. Each offense Minimum—$5 Maximum—$100	A
		1. [No specific provision] 2. Same as in A, above	B
		1. [No specific provision] 2. Same as in A, above	C
		1. Duty State industrial commission: Has duty of enforcing "all the provisions of the statutes regulating or relative to child labor" 2. Any offense Maximum—$100 or imprisonment for 6 months, or both	A
		1. Same as in A, above [Board of officers authorized to grant licenses shall not grant license for exhibition under these conditions] 2. [Law does not mention employer; person violating provision (see note in column I) is liable to maximum penalty of $100 for any offense]	B

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TABLE 7.—PUBLIC

[In reading this analysis, the explanatory

State References I	Minimum age II	Regulated age III	Occupations *Exemptions* IV
WISCONSIN—Continued St C 27 s 439ca St C 83 s 1728a.2, 1728a-1, 1728a-4.1, 1728a-4.2, 1728d. 1 St C 110a s 2394-52, 2394-70 [See Table 1, C, for provision prohibiting employment under 16 in theater or concert hall, which is applicable, however, to employment in public exhibitions only in so far as such employment is not covered by the provisions tabulated in C] [Any child under 8 who is found singing or playing any musical instrument upon the street for gain, or who is used in the aid of any person so doing, is deemed dependent and neglected and may be declared a ward of the court—St s 573-1]	C	Under 16	Employment "to play on any musical instrument, or to sing or perform in a circus, theatrical or musical exhibition, concert or festival, or in any public place" *Exemptions:* Provision does not apply to: Musician or participant in church or school or school exhibition or local home-talent exhibition
WYOMING Compiled Statutes 1910 s 3101, 3105, 3106	A 14		Singing Playing on musical instrument Dancing Rope or wire walking Gymnast, contortionist, rider, or acrobat Variety theater *Exemptions:* Provision does not apply to: Singer or musician in church or school or at any respectable entertainment Teaching or learning music
1915 C 77 s 1, 2, 6 [For earlier law fixing minimum age of 14 for employment in dangerous or immoral, etc., exhibitions, with different penalty, see C S 1910 s 3101, 3105, 3106]	B 16		Actor or performer in any concert hall or room where intoxicating liquors are sold or given away [See provisions in C, below] Any illegal or immoral, etc., exhibition [See provisions in D, below] Any exhibition injurious to the morals or health or dangerous to the life or limb of child under 16 *Exemptions:* Provision does not apply to: Amateur entertainments or theatricals for charity, or not for profit, in schools, churches, settlement houses, or boys' or girls' clubs Singer or musician in church or school Teaching or learning music Physical development in respectable gymnasium or natatorium
	C 18		Employment in concert hall or other establishment where malt or alcoholic liquors are sold
C S 1910 s 3102	D 18		Employment in place where illegal or immoral, etc., exhibition takes place

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EXHIBITIONS—Continued

notes on pp. 467–475 should be borne in mind]

Regulations V	Night work prohibited VI	Enforcement 1. Enforcing authorities—Duty; Power only 2. Penalty for employer, etc. VII	
Permit required, subject to the following conditions: (1) Issued by industrial commission, county or municipal judge, or judge of juvenile court; (2) Issuing officer must be satisfied that appearance of child will not be detrimental to its morals, health, safety, welfare, or opportunities for education equivalent to that of the common schools; (3) Child if under 14 must be accompanied by parent or guardian approved by issuing officer		1. Duty State industrial commission Truant officers: Must inspect places covered by act and report cases of illegal employment of minors to school authorities and to State industrial commission; May make complaint 1. Power only Police officers and citizens: May make complaint 2. Each offense Minimum—Forfeiture of $10 to State Maximum—Forfeiture of $100 to State [A civil suit may be brought for violation]	C
		1. Power only Justices of the peace 2. First offense Maximum—$100 or imprisonment for 3 months, or both 2. Subsequent offense Maximum—$200 or imprisonment for 6 months	A
		1. [No specific provision] 2. Any offense Minimum—$25 or imprisonment for 30 days, or both Maximum—$100 or imprisonment for 90 days, or both	B
		1. [No specific provision] 2. Same as in B, above	C
		1. [Justices of the peace have jurisdiction] 2. Any offense Minimum—$100 or $100 and imprisonment Maximum—$500 or $500 and imprisonment for 12 months	D

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EXPLANATORY NOTES.

The tabulation presented in the foregoing pages is divided into seven parts, consisting of regulations governing (1) minimum age, (2) requirements for entering employment, (3) working papers required, (4) hours of labor, (5) compulsory school attendance, (6) work in street trades, and (7) employment in public exhibitions. Preceding this tabular analysis are two summary charts, summarizing for specified occupations (1) the minimum and regulated ages, and (2) the hours of labor of minors and women. In the following explanatory notes the necessary details in connection with each table are given in the order in which the tables occur, being preceded by such notes as are applicable to the tabulation as a whole.

GENERAL.

Column I of each table contains the references to the laws from which the provisions tabulated opposite them have been taken. These references are in chronological order except when, for some reason, that order has not been followed in the text as given in this publication. The bracketed notes in this column, containing explanatory or additional matter, apply to all the provisions found opposite. The different laws, or regulations of the same law relating to different ages, are tabulated in separate groups, distinguished by the letters A, B, C, etc., found in the second and last columns of each group. The references and notes in column I apply in every case to all the provisions tabulated before the next group of references; for instance, the first group of citations found in column I covers the provisions tabulated in A, B, and C, if no other references are given before group D. This is very often the case, and because of the fact that all the laws to which a group of references and notes refer could not be printed on a single page, the tabulation is sometimes separated by one or more pages from the citations of the law from which the provisions are taken. The end of a page must not, therefore, be understood in itself to break the continuity of any group, whether of the text or the references. Bracketed notes are used in column I to brief provisions which appear to be partially superseded by later laws, or which, for some reason, were not considered of sufficient importance to be included in the detailed tabulation. Apparent contradictions are also indicated by bracketed notes and cross references giving the priority of the provisions if that

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appears to be a determining factor. Reference is made to constitutional provisions in this column, but unless they contain positive regulations not covered by legislative enactments, such provisions are omitted from the text of the tabulation.

Column II defines the person to whom the provisions of each law are applicable. "Any minor" or "Girl of any age" under the heading "Minimum age" or "Regulated age" indicates that the employment of any minor[1] or of any girl or woman is forbidden or is regulated in the occupations specified. "Girl of any age" is used where the law specifies "female." The word "to" between two ages includes the lower but not the higher age, for instance, "14 to 16" means over 14 and less than 16 years of age. In determining the ages affected by different legal provisions, it must be remembered that no one regulation can be considered separately and without noting the effect of other laws upon it. A law fixing an 8-hour day for children under 16, for instance, would, of course, make one fixing a 10-hour day for "all females" apply only to females over 16.

Under the headings, "Occupations or establishments—*Exemptions*," usually in Column III, are given the lists of employments to which the law applies, and those exempted from its operation. These lists are given in full except as specified in the explanatory notes on Table I. The wording and order of the law is followed, with little attempt at classification, except that manufacturing, mechanical, and mercantile establishments are put first. Definitions of terms, if given in the law, are included wherever practicable, and in every case a reference to the defining section is given. The provisions tabulated, except those in Table 6, apply in general to employment in the occupation or places mentioned, but it was impossible to give in detail the introductory clauses, such as "employed, permitted, or suffered to work, in, about, or in connection with," or to interpret them with certainty, and the exact extent of the employer's responsibility can be determined only by consulting the text of the law.

In the last column of each table (except in the case of Table 3, when it is unnecessary) are given the provisions for the enforcement of each law. These provisions are necessarily tabulated only in brief. Under "Duty" or "Power only" is given the name of the board or official having the duty or power, as the case may be, of enforcing the law, and the limitations, if any are specified, placed upon said board or official in that enforcement. No note is made in the tables of the details of the process of enforcement, such as the courts[2] having jurisdiction, the person who brings prosecution,[2] what is evidence of illegal employment, and the like. However, if a prosecuting attorney is given the specific power or duty to enforce the law he is included as an enforcing official. The power to inspect estab-

[1] See page 8 (Introduction). [2] See page 19 (Introduction).

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lishments, or to demand evidence of age, given to an official enforcing labor laws, is not specified except in the absence of a general clause empowering or directing him to enforce the law. In the case of truant officers and others who enforce the compulsory school-attendance laws, however, power to inspect places where minors are employed is specified. The penalty, unless otherwise specified, is that imposed upon the employer for any violation of the law. If it is incurred only under certain conditions, and not for every violation, these conditions are given. If it is in any way limited, as when it is imposed for "willful violation," for "compelling" more hours of labor, for instance, or for violation in regard to children only when the law as a whole applies to all employees, this fact is noted. Such provisions as those specifying to whom fines are to be paid, granting release on bond, imposing penalties of fees or costs, or imprisonment in case fine is not paid, are omitted. Penalties imposed upon the parent for making false statements, false affidavits, etc., or for permitting his child to be employed, upon enforcing officials for failing to do their duty, upon employers for failing to give information or for hindering inspectors, are omitted, but penalties incurred by the parent for not sending his child to school, or for permitting him to engage in street trades, are included. In the latter case it was necessary to give the penalty upon the parent because the child working in street trades is usually engaged in work on his own account, and no employer can be held responsible. If, however, a penalty is specified as incurred by an employer, or by a person furnishing goods to a minor working illegally, it is given. Additional penalties incurred after notification by an enforcing official are tabulated only on Tables 1 and 2, but "each day's violation a separate offense" is noted in all cases. The enforcement columns refer only to the provisions tabulated, not to all the regulations contained in the sections enumerated in column I.

The following terms, when used in either the text or the headings, have the following definite significance, unless otherwise specified. "Grade," "school," "school session," etc., refer to the public school or its equivalent. No attempt is made to indicate the standards of equivalent instruction, since they could not usually be obtained definitely from the wording of the laws. But "during school hours" means the hours during which the public schools are in session. "Persons, etc.," means "any person, firm, or corporation"; "employer, etc.," means "employer or his agent"; "agent" refers to any authorized representative of an employer; "deputy" refers to any authorized representative of an enforcing official or board legally permitted to deputize enforcing authority; "parent or guardian," or "parent, etc.," includes any person having legal control of a child; "birth certificate" or "baptismal certificate" must be understood to

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mean a transcript of the birth or baptismal record. Brackets are used to indicate inferences from the law not directly stated and provisions which, though given for the sake of clearness, are not directly applicable to the heading under which they are tabulated. Brackets are also used to inclose cross references from one table to another, and notes in the reference columns.

Decisions and rulings by attorneys general, etc., and court decisions as to constitutionality are not considered in the tabulation. An exception is made in that rulings of commissions are included in Table 4 and that certain decisions necessary to the understanding of a few obscurely worded compulsory school-attendance laws are noted in Table 5. It must be remembered that it was possible to tabulate only specific regulations, and that in order to have a complete understanding of the actual effect of the laws governing children in any given occupation, all the tables must be considered in their relation to each other. For instance, the effect of the compulsory school-attendance law of a State upon the minimum age law is often to raise the age limit for employment in all occupations during school hours. Likewise a provision requiring a child to attend school until he has graduated from the common schools might in effect raise the educational requirements for entering employment. When possible, cross references have been made from one table to another showing the effect of the provisions of one law upon those of another, but since such effect often becomes a matter of legal interpretation, it could not always be indicated. Moreover, the actual effect of one law upon another is often determined largely by the methods of administration, which could not of course be considered in a compilation based on laws.

TABLE 1.—MINIMUM AGE.

Table 1 contains practically all the minimum age laws except those relating to employment in public exhibitions[1] and work in street trades,[2] as defined later. Laws prohibiting enticing children to leave home for employment are omitted when the occupation in which the child is to engage is not specified, and those forbidding employment agencies to send minors into immoral and illegal occupations are omitted, but those prohibiting employers to send minors to immoral places are included, as being applicable to employment in messenger service. The power of a minimum wage commission or other such body to "fix standard conditions of labor" is given, since such power might be interpreted to include age regulations. All laws regulating employment of minors in connection with the sale or manufacture of intoxicating liquors are included, even in prohi-

[1] Table 7. [2] Table 6.

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bition States, but the fact that prohibitory laws are in force is noted in column I. In some cases, a requirement for a permit to enter employment practically constitutes a minimum age provision, as where a child can not enter certain employments unless he has graduated from the common schools. In that case, if no other minimum-age provision affects such employment, the regulation is given in Table 1.

The employments to which each law applies are given in full, except lists of dangerous, injurious, or immoral occupations, which are grouped under the heading "Certain dangerous, etc., occupations," and are briefed according to the following system: Certain occupations and places of employment, if occurring in such lists, are always specified, namely, mine; smelter; coal breaker; quarry; blast furnace; cleaning and oiling machinery; preparing compositions in which dangerous or poisonous acids are used; manufacture of paint, etc.; laundry (but not laundering machinery only); tobacco warehouse or manufactory; operating freight or passenger elevator; telegraph operator; brakeman, etc., on railroads (but not switch and gate tending); occupations on boats, vessels, etc.; pool or billiard room or bowling alley; sending messengers, etc., to immoral places; saloon, etc.; brewery, distillery, etc. General clauses, such as "all occupations injurious to health," are given in detail. The phrases "immoral, etc., occupations," "immoral, etc., places," "for any immoral purpose," are used to cover all related details enumerated in the law. The general terms, "work at certain machines," and "work in certain processes," are used to cover such mechanical operations and such processes as are enumerated in the law but not specified in the tables.

TABLES 2-3.—REQUIREMENTS FOR ENTERING EMPLOYMENT; WORKING PAPERS REQUIRED.

Table 2, Requirements for entering employment, specifies both the standards which must be met by the child in order to secure employment or which may be required by some enforcing official in order that the child may continue in employment, and the method of enforcing the law. Table 3, Working papers required, which is a continuation of Table 2 and should be read in connection with it, shows the details of the certificate law which relate particularly to the employment paper, that is, the actual document given to the employer by the child or by the issuing officer. Regulations applying in whole or in part to the same occupations and ages may be tabulated separately, if necessary, but unless it is evident, as in the case of vacation certificates, that they are alternative, or unless a note is found in column I to that effect, they must be read together to obtain

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a complete picture of all the requirements. Wherever it could be done without burdening the tables with too great a mass of detail, cross references have been used to call attention to these interrelations. Columns IV to VIII of Table 2 contain the prerequisites for obtaining the working paper or document named in column II. Quotation marks are used to indicate a name given in the text of the law. The subordinate documents required for the issuance of the certificate proper are noted in the appropriate columns. In entries indicating educational qualifications, the minimum requirements are given.

In Table 3 are tabulated the more important details concerning the working paper itself. An entry is made under "time limit" only when the certificate is issued for a definite time, as "during vacation," or "for 6 months." Under "authority issuing" is specified the person who approves the certificate named in column II, and another person's power to revoke such certificate is given in a parenthetical note. Under "accessible to inspection of whom" are tabulated all the persons who are specifically given the right to demand of the employer the certificate required for the child's employment, whether or not it is their duty to enforce the law or to make such demand. "Notification of termination of employment" refers to the employer's notification sent to the school authorities, the issuing officer, etc. Sometimes this notification is made by returning the certificate, in which case the entry "return of certificate" is made. No entry is made here unless some direct notification must be made in the case of every child. The return of the certificate "to the issuing officer, if not claimed by the child within 30 days" is not considered to constitute a notification.

It should be remembered that there may be in the actual administration of the certificate law, particularly where much discretionary authority is given to the issuing officer, many details not specified in the text and therefore impossible to show in the tables. Moreover, the indirect effect of even specific provisions can not be estimated exactly; for instance, a law which specifies that the certificate be made out to a specific employer, or contain the employer's name, may have practically the same effect as one requiring the return of the certificate, since the child must return to the issuing officer before he can obtain a new certificate.

The administrative details of the law, such as those which concern the making and filing of duplicate copies of certificates, reports to State officials, or the keeping of lists of children to whom certificates have been refused, as well as provisions specifying the exact procedure for obtaining certificates, for instance those demanding the signature or appearance of parent or child, are in general omitted. Certain details in regard to the duties of employers, such as pro-

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visions requiring the keeping and posting of lists of children employed, notifying the issuing office of the child's actual entrance upon employment, or including in the termination of employment notice the reason for the child's leaving, are also omitted.

TABLE 4.—HOURS OF LABOR.

All hours of labor laws quoted in the text are given in this table, with the exception of hours of labor for railroad and street-car employees, which are included only when they specifically refer to minors or women. Unless otherwise specified, usually in a footnote, the number of hours given in Column IV is not the number of hours which "shall constitute a legal day's work," but the actual maximum per day permitted. The details as to whether these hours are consecutive, or whether mealtime is excluded, are not shown. All exceptions are given in detail. Under "Mealtime prescribed" is given the minimum amount of time to be allowed for lunch and, if so stipulated in the law, the maximum number of hours an employee may work without rest period or interval for lunch. The power of a minimum wage or other such commission to regulate hours of labor is shown here, and such rulings as it was possible to obtain are given in footnotes. Regulations concerning the posting of notices showing the number of hours required, the time of beginning and ending work, etc., are omitted, as are interpretive details such as provisions specifying that if work is done in two establishments the total number of hours worked by one person shall not exceed the maximum prescribed by law. A reduction in the number of hours of work of minor employees to permit attendance at continuation schools is not shown here, but is noted in Table 5.

TABLE 5.—COMPULSORY SCHOOL ATTENDANCE.

Table 5 gives the minimum amount of school attendance required yearly, whether of all children or of children employed in certain occupations, and the ages between which it is compulsory. An entry in the column "Occupations or establishments" indicates that the amount of schooling specified is required only of children employed in the establishments enumerated; otherwise it is required of all children. In the former case the penalty incurred by the employer, and in the latter the penalty incurred by the parent, is tabulated in the enforcement column. Column IV, specifying the localities where the act is in force, should be carefully noted, as extensive limitations upon the law are often found in that column. In the case of optional compulsory education laws, the localities where the law is in effect, in all cases where it was possible to obtain them, are given in footnotes. All exemptions from school attendance are tabulated except those allowing the substitution of other forms of training, which

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are omitted on the ground that they imply that the child is receiving equivalent instruction. Definitions of "regular attendance," and provisions stipulating the standard of "equivalent instruction," or requiring private or parochial schools to conform to certain regulations before attendance therein will be accepted as compliance with the law, are omitted.

TABLE 6.—STREET TRADES; TABLE 7.—PUBLIC EXHIBITIONS.

The laws applying to children engaging in street trades on their own account and those employed to take part in public exhibitions are in many cases very different in detail from regulations applying to other occupations, and for that reason, as well as because it seemed of interest to consider them apart from the others, they have been tabulated separately in Tables 6 and 7. No note is taken of them in Tables 1, 2, 3, and 4, even though they constitute exemptions from certain general employment regulations, and none of the provisions in that group of tables should be interpreted as applying to the occupations treated in Tables 6 and 7 unless they are repeated in the latter tables. However, cross references are made from the first four tables whenever there are any corresponding provisions in Tables 6 and 7.

So far as practicable, laws relating only to employment in street occupations, including employment as messenger boys, are tabulated in Tables 1, 2, 3, and 4, while those relating to children working on their own account are given in detail in Table 6. Where the application of the law is so indefinite that a distinction could not be made between the two classes of children, its provisions are given in Table 6 only. Laws applying both to employment of children in street trades and to children working on their own account are detailed in Table 6, and referred to by a note in the other tables. The locality is given only when the provision is made to apply to specified cities or towns; otherwise the law is of general application.

Provisions fixing maximum hours of labor in all occupations are noted in Column I of Table 7, and a general night-work prohibition for children, from which employment in public exhibitions is apparently not exempted, is given in the tabulation, since, if evening hours are included, it practically fixes a minimum age for employment in night performances in theaters and places of amusement. Only laws specifically referring to public exhibitions of some kind are given in this table, though general clauses prohibiting employment in dangerous occupations might be interpreted to include many such occupations, as ropewalker, etc., mentioned in Table 7.

Juvenile court laws, declaring dependent, neglected, or delinquent a child found peddling or selling articles or singing or playing on

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musical instruments on the streets, are noted in Tables 6 and 7, either in Column I or in Column VI. It should be remembered that many cities have local ordinances governing children in street trades which, of course, could not be included here. As a rule no attempt has been made to show the effect of compulsory school-attendance regulations on the laws governing employment, but in the case of work in street trades the compulsory school-attendance law has so positive an effect upon the possibility of the child's being allowed to be on the street, that where there were no specific regulations a note has been made in Table 6 referring to the school law.

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TEXT OF CHILD LABOR LAWS

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The continuous pagination of the volume from this point is carried in parentheses at the foot of the page. The text of the laws of each State and the index are paged separately, each beginning with page 3.

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MINES

MINIMUM AGE

Enforcement: duties of mine inspectors.—* * * It shall be the duty of mine inspectors to examine all the mines in this State at least every three months, to see that all the requirements of this chapter are strictly observed and carried out; inspectors shall * * * make a record of all examinations of mines, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated * * *. [Code 1907 Chapter 30 section 1002]

Employment of boys under 14 and girls of any age prohibited.—No woman, or boy under the age of 14 years, shall be employed to work or labor in or about any mine in this State. [C 1907 C 30 s 1035]

Court decisions.—The provisions of this section are applicable to all mines, and not limited to coal mines.—Cole *v.* Sloss-Sheffield Steel & Iron Co., 65 So., 177 (1914).

The employment of a child in violation of a statute renders the employer liable for resulting injuries although he was deceived as to the child's age.—De Soto Coal Mining & Development Co. *v.* Hill, 60 So. 583 (1913).

NOTE.—[The above section, in so far as it relates to children under 16, is apparently superseded by section 6, page 193, Acts of 1915, which fixes a minimum age of 16 for employment in any mine.]

Penalty.—Any person who * * * neglects or refuses to perform any of the duties required of him by the provisions of chapter 30 of this Code, or violates any of the provisions thereof * * *, must, on conviction, be fined not more than two hundred and fifty dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than six months. [C 1907 C 255 s 7418]

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MERCANTILE ESTABLISHMENTS

TOILETS AND SEATS FOR GIRLS

Separate toilets for the sexes; seats to be provided and their use permitted; penalty.—Any person owning or controlling a store or shop in which any girl or woman is employed as a clerk or saleswoman, who fails to provide such girl or woman with proper accommodations for sitting and resting when not actively engaged in the work of her employment, or who fails to permit her to do so when not so engaged, or who shall not have in such building, or conveniently thereto, separate water-closets for the use of such girls or women, must, on conviction, be fined not less than fifty dollars nor more than five hundred dollars. [C 1907 C 211 s 6857]

COTTON MILLS AND FACTORIES

ENFORCEMENT

Inspector of jails, almshouses, cotton mills, or factories.—There is created the office of inspector of jails, almshouses, cotton mills, or factories; the officer or inspector shall be a practicing physician in good standing, learned in the science of sanitation and hygiene, and shall reside in Montgomery and have an office in the capitol. [C 1907 C 239 s 7212]

Appointment of inspector.—The inspector shall be appointed by the governor and shall hold office for a term of four years from the date of his appointment, and until his successor is appointed and qualified. [C 1907 C 239 s 7213]

Duties of inspector.—The following are the general duties of the inspector:

* * * * * * *

(5) To visit at least four times each year, and oftener when ordered by the governor so to do, each and every cotton mill or factory in this State, and to thoroughly inspect the same for the purpose of ascertaining their sanitary condition, the ages and condition of the children employed therein, and all other matters concerning the operation and condition of said mills or factories as to which the laws of this State prescribe any rules or regulations.

(6) To make reports to the governor of the result of each such inspection.

(7) To institute prosecutions against the owners and operators of such mills or factories for the violation of any of the rules or regulations prescribed by any law of this State relating to the conditions or operations of such mills or factories or the employment of children therein. [C 1907 C 239 s 7215]

Penalty for refusal of information or testimony.—Any * * * manager of any * * * cotton mill or factory, or any person or persons charged with the management of any * * * cotton mill, or factory, who shall willfully refuse or fail to give the inspector the information called for by him, and any such officer or other person who, when summoned by the inspector to come before him and testify concerning any matter upon which the inspector is required to report, shall willfully refuse or fail to attend and testify, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five nor more than one hundred dollars. [C 1907 C 239 s 7217]

CHILD LABOR AND VAGRANCY

Certain persons hiring out their children declared vagrants.—The following-described persons are vagrants:

* * * * * * *

(12) Any person who has no property sufficient for his support and who is able to work and does not work, but hires out his children or allows them to hire out. * * * [C 1907 C 302 s 7843]

Penalty.—Vagrancy is a crime, and any person convicted thereof must be fined not more than $500, and may also be sentenced to hard labor for the county for not more than 12 months. [C 1907 C 302 s 7844]

Basis for prosecution.—In prosecutions for vagrancy the burden of proof shall not rest upon the State to establish the fact that the defendant has no property sufficient for his support, nor means of a fair, honest, and reputable livelihood, but whenever it shall be established by the proof in any prosecution under this chapter [s 7843–7846] that the defendant * * * is able and does not work, but hires out his minor children, or allows them to hire out, then, or in either of such events, a prima facie case

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of guilt is hereby declared to be established * * * and the burden of proof shall be upon the defendant to show that he has sufficient property from which to obtain a support, or sufficient means of maintaining a fair, honest, and reputable livelihood; * * * but if the evidence for the defendant is sufficient when considered together with all of the evidence in the case to raise a reasonable doubt as to his guilt he shall be entitled to an acquittal. [C 1907 C 302 s 7845]

Exemptions.—The provisions of this chapter [s 7843–7846] shall not apply to persons who are idle because of strikes or lockouts. [C 1907 C 302 s 7846]

MILLS, FACTORIES, AND MANUFACTURING ESTABLISHMENTS

NOTE.—[Page 193, Acts of 1915, which repeals all laws and parts of laws in conflict with its provisions, appears to supersede entirely sections 1, 2, 3, and 4 of page 158, Acts of 1909 (not quoted here) and to supersede in large part sections 6 to 21, inclusive, of the same act, quoted below.]

HOURS OF LABOR

Eight hours a night from 16 to 18.—No child over 16 and under 18 years of age, shall be so employed, or detained [in any mill, factory, or manufacturing establishment] between said hours [seven o'clock p. m. and six o'clock a. m. standard time] for more than eight hours in any one night. [1909 p 158 s 5]

AGE CERTIFICATES

Affidavit of age required under 18.—It shall be unlawful for any person, firm, or corporation, to employ, or detain in, or permit to work in, or be in, or about any mill, factory, or manufacturing establishment any child under 18 years of age, without first requiring said child to present on a blank furnished by the employer, the form of which shall be provided by the inspector, the affidavit of the parent, or guardian, or other person standing in parental relation to such child, stating the date and place of birth of said child. [1909 p 158 s 6]

Employer to file affidavit with judge of probate; copy sent inspector.—Such affidavit shall be filed by such employer within ten days after the employment of such child in the office of the judge of probate of said county and shall be numbered and labeled with the name of the child, and a complete index thereof made and preserved as other records in said office. * * * A copy of said affidavit shall be forwarded, within ten days after the employment of such child, to the inspector at Montgomery, Alabama. [1909 p 158 s 7]

PENALTIES

Illegal employment or refusal of information.—Any person, firm or corporation who violates any of the provisions of this chapter, or who knowingly permits any child to be employed, or detained in, or be in, or about his, their, or its mills, factory or manufacturing establishment, contrary to the provisions of this chapter, or who shall fail or refuse to furnish the inspector the necessary information upon all such matters as he is required to report upon, and, all such other information as is necessary with reference to the keeping of records in the office of the said inspector, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars for each offense. [1909 p 158 s 8 as amended by 1911 p 546]

Illegal employment or failure to obey inspector's orders.—Any person, firm, or corporation who violates any of the provisions of this chapter, or who employs any child, or knowingly permits any child to be employed, or to work in, or about, or be detained in, or be in, or about any mill, factory, or manufacturing establishment contrary to law, or who fails, or refuses, to obey promptly every lawful order, or direction given by the inspector under this law, must on conviction be fined not less than fifty dollars, nor more than one hundred dollars, and upon a second conviction for any violation of this law, must be fined not less than one hundred nor more than five hundred dollars, and if a natural person be sentenced to hard labor for not more than six months. [1909 p 158 s 9]

False affidavit.—Any person, who knowingly makes any false affidavit when an affidavit is required under this chapter, is guilty of perjury.[1] [1909 p 158 s 10]

[1] Any person who willfully and corruptly swears or affirms falsely, or corruptly procures another to so swear or affirm, in regard to any material matter or thing, upon any oath or affirmation authorized by law, * * * must, on conviction, be imprisoned in the penitentiary for not less than two nor more than five years. [C 1907 C 268 s 7543]

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ENFORCEMENT AND TOILETS FOR GIRLS

Duties of State prison inspector; separate toilets for the sexes.—The State prison inspector, in person or by his chief clerk or deputy inspectors, is charged with the duty of inspecting all mills, factories, and manufacturing establishments wherein women and children work, and he must inspect every such mill, factory or manufacturing establishment at least four times a year, if practicable, without notice of his purpose to do so. He shall thoroughly inspect each manufacturing establishment, and ascertain their sanitary condition, and whether a good supply of fresh drinking water and fresh air and suitable water-closets for the women and girls are provided, separate and apart from those for the use of boys and men, and particularly the ages and condition of the children employed, at work in, or detained therein and he shall carefully examine all affidavits filed under this law, and in connection therewith, the children named therein, and all other matters concerning the operation and condition of the manufacturing establishments in which children work, or are detained, and make written orders requiring correction of defects in, or about the mills, or manufacturing establishment[s]. [1909 p 158 s 11 as amended by 1911 p 546]

Reports to governor; publication.—The inspector shall make written report to the governor of every examination of every manufacturing establishment inspected by him, and note every refusal or failure to comply with, or observe the law, in any respect, which reports must be published annually. [1909 p 158 s 12]

Illegally employed or diseased child to be removed from employment.—It shall be the duty of the inspector to remove from any mill, factory, [or] manufacturing establishment any child found working, or detained therein contrary to law, and to remove therefrom any child who is afflicted with any infectious, contagious, or communicable disease. The judgment of the inspector as to the removal of any child shall be final and conclusive. [1909 p 158 s 13]

Prosecutions.—It shall be the duty of the inspector to institute prosecutions against the owners, operators, managers, and superintendents of any such mill, factory, or manufacturing establishment for every violation of law that they may discover, and to furnish to the solicitor of the circuit, or county the names and addresses of all necessary witnesses. [1909 p 158 s 14]

Powers of inspector.—The inspector shall have free access at any time to any mill, factory, or manufacturing establishment wherein women and children work, or are detained, and no person shall refuse to allow the inspector to have free access to a manufacturing establishment and every part thereof. [1909 p 158 s 15]

Hindering inspector prohibited.—No person shall hinder or obstruct the inspector in inspection, or make any false, or misleading statement to the inspector about the establishment, its operation, or condition, or about any person working, or detained therein. [1909 p 158 s 16]

Child labor law to be posted.—All persons must have a plainly printed copy of the child labor law posted up on [in] the office and in every room in which any person works in the mill, factory, or manufacturing establishment. [1909 p 158 s 17]

PENALTIES

Violation of three preceding sections.—Any person violating the three preceding sections must, on conviction, be fined not less than one hundred nor more than five hundred dollars, and on subsequent conviction be fined not less than five hundred dollars, and may be sentenced to hard labor for not more than one year. [1909 p 158 s 18]

Employing child ordered removed.—Any owner, or manager of a mill, factory or manufacturing establishment who disobeys any order of the inspector, [as to] removing a child from the mill, factory, or manufacturing establishment; or who permits any child who has been removed by the inspector to return to work therein, or to be in, or about the mill, factory, or manufacturing establishment without the written permission of the inspector, must, on conviction, be fined not less than fifty dollars, nor more than one hundred dollars. [1909 p 158 s 19]

ENFORCEMENT

Employment and duties of clerk.—The inspector of jails and almshouses is authorized to employ a competent clerk, with the approval of the governor, who shall be authorized to perform the same duties as by law the inspector is authorized to perform, and shall have and exercise the same powers under the direction of the inspector as the inspector has by law. * * * [1909 p 158 s 20]

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APPLICATION OF ACT

Limitation.—This chapter shall apply only to manufacturing establishments engaged in manufacturing, or working in cotton, wool, clothing, tobacco, printing and binding, glass, or other kind of work that is injurious to health when carried on indoors. [1909 p 158 s 21]

MANUFACTURING ESTABLISHMENTS

EDUCATIONAL REQUIREMENTS

Schools to be provided where 50 or more children of school age are employed.—It shall be the duty of any county board of education or the board of education of any town or city in which there is located one or more manufacturing plants employing fifty or more children within the school age, who are required by the child labor law to attend school for any certain length of time during the year, to locate, or cause to be located, a public school for the accommodation of the children within the school age employed by such manufacturing plant, or plants, and to apportion to the said schools so located such proportion of the school funds of said district as may be necessary to run the school or schools as nearly as practicable the same length of time as the other school or schools of the district are run: *Provided further*, In incorporated cities or towns in which two or more schools are maintained that one or more of said schools may be designated by the proper school authorities as the school for the accommodation of the children within school age employed in such plant or plants. [1911 p 247 s 1]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors or women to sell or serve prohibited.—* * * It shall also be unlawful to employ or permit to be employed any minor or woman in selling or serving spirituous, vinous or malt liquors. * * * [1911 p 268 s 33]

Penalty.—Any person who commits, or aids, or abets, assists, or encourages another in committing any of the acts herein declared to be unlawful shall be guilty of a misdemeanor, and upon conviction must be fined not less than fifty dollars, nor more than five hundred dollars, for the first offense and shall be sentenced to hard labor for the county or imprisoned in the county jail for not less than thirty days nor more than six months, upon each succeeding conviction, unless a different punishment is herein specifically provided for the offense. [1911 p 268 s 34]

NOTE.—[See also section 4, page 193, Acts of 1915.]

COAL MINES

MINIMUM AGE

Enforcement: duties of mine inspectors.—* * * It shall be the duty of the mine inspectors to examine all the coal mines and all the working places therein as far as possible, in this State, at least every three months to see that all the requirements of this act are strictly observed and carried out * * *. [1911 p 500 s 5]

Employment of boys under 14 and girls of any age prohibited.—No woman of any age or boy under the age of fourteen shall be employed to work or labor in or about any coal mine in this State. [1911 p 500 s 108]

NOTE.—[The above section, in so far as it relates to children under 16, is apparently superseded by section 6, page 193, Acts of 1915, which fixes a minimum age of 16 for employment in any mine.]

Penalty.—Any willful neglect or refusal or failure to do the things required to be done by any section, clause or provision of this act, on the part of the person, or persons, herein required to do them, or any willful violation of any of the provisions or requirements hereof, * * * shall be deemed a misdemeanor, and * * * punishable by a fine of not less than $5 or by imprisonment in the county jail for a period not exceeding six months, one or both, at the discretion of the court * * *. [1911 p 500 s 110]

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ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 13 and on and after September 1, 1916, under 14, prohibited; farm and domestic work excepted; other exceptions.—No child under thirteen years of age, and on and after September first, 1916, no child under fourteen years of age shall be employed, permitted or suffered to work or be employed in any gainful occupation, except agriculture or domestic service: *Provided however*, That boys twelve years of age and over may be employed in business offices and mercantile establishments in cities or towns under twenty-five thousand population, according to the latest Federal census, during such time as the public schools in the city or town in which the child resides are not in session. [1915 p 193 s 1]

HOURS OF LABOR

Eleven hours a day, 60 a week, 6 days a week, and night work prohibited, under 16; farm and domestic work excepted; presence to be evidence of employment.—No child under sixteen years of age shall be employed, permitted or suffered to work in any gainful occupation except agriculture, or domestic service for more than six days in any one week, or more than sixty hours in any one week, or more than eleven hours in any one day, or before the hour of six o'clock in the morning, or after the hour of six o'clock in the evening. The presence of any child under sixteen years of age in any mill, factory or workshop, laundry or mechanical establishment shall be prima facie evidence of its employment therein. [1915 p 193 s 2]

Hours to be posted for boys under 16 and girls under 18.—It shall be the duty of every employer to post and keep posted in a conspicuous place in every room where any boy under the age of sixteen years or any girl under the age of eighteen years is employed, permitted or suffered to work, a printed notice stating the maximum number of hours such person may be required or be permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or for other meals. The printed form of such notice shall be furnished by the inspector hereinafter named, and the employment of any minor for a longer time in any day than so stated, or at any time other than as stated in said printed form of notice shall be deemed a violation of the provisions of this act. [1915 p 193 s 3]

MESSENGERS IN CITIES; INTOXICATING LIQUORS

MINIMUM AGE AND HOURS OF LABOR

Night work prohibited for messengers under 18; employment under 21 in places where intoxicating liquors are manufactured, etc., prohibited.—No person under the age of eighteen years shall in any city of twenty-five thousand population, or more, according to the latest Federal census, be employed, permitted or suffered to work as a messenger for any person, firm or corporation engaged in the business of telegraph, telephone or messenger service, in the distribution, transmission or delivery of goods or messages after the hour of nine o'clock in the evening or before the hour of five o'clock in the morning of any day, and in any city or town under twenty-five thousand population no person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any person, firm or corporation engaged in such service, in the distribution, transmission or delivery of goods or messages after ten o'clock in the evening, or before five o'clock in the morning of any day; and no person under twenty-one years of age shall be employed in any establishment where intoxicating liquors are manufactured or sold. [1915 p 193 s 4]

DANGEROUS AND INJURIOUS OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, railroads, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: (1) operating or assisting in operating any of the following machines: (a) circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sand paper or wood polishing machinery; (f) wood turning or boring machinery; (g) machines used in picking wool, cotton[,] hair, or any other material; (h) job or cylinder printing presses; (i) boring or drilling

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presses; (j) stamping machines used in sheet metal or tinware, or in paper or leather manufacturing, or in washer or nut factories; (k) metal or paper cutting machines; (l) corner staying machines; (m) steam boilers; (n) dough brakes or cracker machinery of any description; (o) wire or iron straightening or drawing machinery; (p) rolling mill machinery; (q) power punches or shears; (r) washing, grinding or mixing machinery; (s) laundering machinery; (2) or in proximity to any hazardous or unguarded gearing; (3) or upon any railroad, whether steam, electric or hydraulic; (4) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State. [1915 p 193 s 5]

Specific occupations prohibited under 16; dangerous processes, mines, theaters, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity—(1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coal breaker, coke oven or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall, or in any connection with any theatrical performance or other exhibition or show. [1915 p 193 s 6]

ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 16; farm and domestic work excepted; other exceptions; proof of age may be required for child apparently under 16; evidence of violation.—It shall be unlawful for any firm, person or corporation to employ, permit or suffer any child under sixteen years of age to work in any gainful occupation, except agriculture or domestic service, unless such person, firm or corporation keeps on file for the inspection of the officials charged with the enforcement of this act, an employment certificate, as hereinafter prescribed, for every such child and unless such person, firm or corporation, keeps on file for the inspection of the officials charged with the enforcement of this act, a complete list of all such children employed therein; *Provided however*, That in the cities or towns under twenty-five thousand population boys between the ages of twelve and fourteen years shall not be required to have such certificate for employment in business offices and mercantile establishments during such times as the public schools are not in session. The inspector charged with the enforcement of this act may make written demand on any employer in whose establishment a child apparently under sixteen years of age is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish him within ten days evidence satisfactory to him that such child is in fact sixteen years of age or over, or shall cease to employ or permit or suffer such child to work therein. Such official may require from such employer the same evidence of age of such child as is required for the issuance of any employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to procure and deliver to such official within ten days after such demand, such evidence of age therein required of him, and thereafter continue to employ such child or permit or suffer such child to work in such establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution that such child is under sixteen years of age, and is unlawfully employed. [1915 p 193 s 7]

MILLS, FACTORIES, AND MANUFACTURING ESTABLISHMENTS

EDUCATIONAL REQUIREMENTS

School attendance required under 16.—No child under sixteen years of age shall be employed or be permitted to work, or be detained in or about any mill, factory or manufacturing establishment in this State, unless such child shall attend school for eight weeks in every year of employment, six weeks of which shall be consecutive. [1915 p 193 s 8]

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ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES

School authorities to issue certificates.—It shall be the duty of the superintendent or principal of schools in cities or towns to issue the employment certificates mentioned in the foregoing section,[1] or to authorize a person in writing to issue such certificates, acting in his name. Where there is no superintendent or principal of schools, said certificates shall be issued by the county superintendent of education or by [a] person authorized by him in writing. [1915 p 193 s 9]

Method of issuing; age and school records required; list of certificates to be sent to State factory inspector; penalty for failure to transmit report.—The person authorized to issue employment certificates shall not issue such certificates [sic] unless the child in question, accompanied by its parents or guardian, or person standing in parental relation thereto, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) A school record signed by the principal or teacher of the school last attended by said child, stating that such child has attended school for at least sixty days of the year immediately preceding the date on which the certificate is issued, and stating also the age and date of birth of said child, as shown on the records of the school, and the name and address of the parent, guardian or custodian: *Provided*, That such evidence of school attendance outside of the State of Alabama, may be accepted at the discretion of the officer issuing these certificates; (2) one of the following evidences of age, showing the child to be fourteen years of age or over or if before September 1st, 1916, thirteen years of age or over, to be required in the order herein designated: (a) A duly attested transcript of the birth record of said child, filed according to law, with any officer charged with the duty of recording births, (b) or, a passport or duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child, (c) or, in case the officer authorized to issue such certificate is satisfied that none of the above proofs of age can be produced, other evidence of age, such as the affidavit of the parent, guardian or custodian of such child, as shall convince such officer that the child is fourteen years of age or over or before September 1st, 1916, thirteen years of age or over, the superintendent of schools in any city, town or district, wherever there is one, and where there is none, the county superintendent of education, shall between the first and tenth days of each month, transmit to the office of the State inspector hereinafter mentioned, a report, which report shall give the name of each child to whom a certificate has been granted, or denied during the preceding month, together with the ground of such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting the same to such State official, shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five. [1915 p 193 s 10]

Contents of certificates; blank certificates, etc.—Such certificate shall state the full name, place and date of birth of such child with the name and address of the parent, guardian, or persons sustaining the parental relationship to such child, and shall contain a statement signed by the issuing officer that the child has personally appeared before him and that satisfactory evidence has been submitted that said child is fourteen years of age or over, or, if before September 1st, 1916, thirteen years of age or over. The printed form of the certificate, and other papers required in the issuing of certificates, shall be drafted by the State inspector, hereinafter mentioned, and furnished by him to the local and county superintendents of education. [1915 p 193 s 11]

Certificate to be returned to child or issuing office.—On the termination of the employment of a child under the age of sixteen years, the employment certificate shall be returned by the employer holding the same, to the child to whom it is issued, or if the certificate of such child is not claimed by such child within ten days after the termination of its employment, it shall be returned by the employer to the school authority by whom it was issued. [1915 p 193 s 12]

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[1] The section referred to is evidently section 7.

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STREET TRADES IN CITIES

MINIMUM AGE, HOURS OF LABOR, AND PERMITS AND BADGES

Employment of boys under 12 and girls under 18 in selling newspapers, magazines, etc., prohibited; boys from 10 to 12 exempted under certain conditions; night work prohibited for boys under 16; badge and school attendance required for boys under 16; school authorities to issue badge; method of issuing; proof of age and school attendance required; annual renewal of badge; nontransferable; child violating act deemed delinquent; revocation of badge; penalty for assisting child to violate act; enforcement: duties of police officers, etc.—No boy under twelve years of age, and no girl under eighteen years of age, in any city of twenty-five thousand population, or more, according to the latest Federal census, shall distribute, sell, expose, or offer for sale, newspapers, magazines, periodicals, hand-bills or circulars, or be employed or permitted, or suffered to work in any other trade, or occupation performed in any street or public place: *Provided however*, That boys ten years of age or over may engage in the distribution of newspapers and periodicals on fixed routes in the resident districts of such cities. No boy under sixteen years of age shall engage in any such street occupation in any city of twenty-five thousand or more population, according to the latest Federal census, after eight o'clock at night, or before five o'clock in the morning of any day; or unless he has secured and wears in plain sight a badge as herein provided; or unless he is a regular school attendant. Such badge shall be provided and issued by the superintendent of schools or some person designated by him in writing, and shall be granted only after the child has applied to him personally, accompanied in person by his parent, guardian or custodian, and has submitted satisfactory proof that he is twelve years of age or over; or if engaged only in distributing papers or periodicals on fixed routes in the resident districts, ten years of age or over and that he is a regular attendant. Such badge shall be renewed annually on the first day of January and shall not be transferable, and the form, design or color shall be changed annually. A deposit of not more than fifty cents may be required by the person issuing same, to be returned upon the surrender of the badge, and if lost, the badge may be replaced upon the payment of twenty-five cents. Any child who shall engage in any such street occupation, in violation of the provision[s] of this section, shall be deemed delinquent and brought before any court or magistrate having jurisdiction over juvenile delinquents, and shall be dealt with according to law. Use of a badge may be revoked or suspended by said court or its authorized representatives upon such violation, or in case the child's school record is not satisfactory to the principal of the school which he attends. Any person who sells, or offers for sale any article of any description to a boy under sixteen years of age to be used for the purposes of sale or barter upon the streets, or in any public place, shall first ascertain that such boy wears his own badge in plain sight, as herein provided, and if said boy has no badge no article shall be sold to him. Any person violating this provision shall be fined not less than one, and not more than fifty dollars. The police officers and other peace officers shall enforce the provisions of this section. [1915 p 193 s 13]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties of State prison inspector.—It shall be the duty of the State prison inspector and his authorized assistants to inspect as frequently as possible, all establishments, wherein minors subject to the provisions of this act are, or may be, employed or permitted to work and to enforce the provisions of this act. For the purpose of administering this act, and any other laws relating to the employment of minors, the State prison inspector may be designated the State factory inspector; and his deputy inspectors may, in the performance of their duties, in enforcing the provisions of this act, be known as deputy factory inspectors. It shall be the duty of the inspectors to institute prosecution for the violation of any of the provisions of this act. The solicitor of each county is charged with the duty of prosecuting all violations of this act. [1915 p 193 s 14]

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ALL ESTABLISHMENTS

HEALTH OF MINORS AND TOILETS FOR GIRLS

Separate toilets for the sexes; proper ventilation and sanitation where minors are employed; pure drinking water required where 20 or more persons are employed; act to be posted; enforcement: duties of inspector.—Every person, firm or corporation, owning or controlling any establishment wherein minors are employed, subject to the provisions of this act, shall keep such establishment in sanitary condition, and properly ventilated, and shall provide suitable and convenient water closets, or privies, separate for each sex, and in such number and located in such place or places, as may be required by the inspector; and when twenty or more persons are employed, sanitary drinking fountains shall be provided in such number as the inspector may deem necessary. All water closets shall be maintained inside such establishments except where, in the opinion of the inspector, it is impracticable. In all such establishments, there shall be separate water closets or privy compartments for females, to be used by them exclusively, and notice to that effect shall be painted on the outside of such compartment. The entrance to every water closet or privy, in such establishment, shall be effectively screened by a partition or vestibule. In every such establishment a prfnted copy of this act shall be kept conspicuously posted in every room in which minor persons work. It shall be the duty of the inspector to inspect thoroughly every such establishment, to issue a written order for the correction of unsanitary or unhealthful conditions in such establishment, and to compel compliance with such orders as herein provided. [1915 p 193 s 15]

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Duties and powers of inspector; penalty for hindering inspector, false statements, and failure to comply with orders.—The inspector shall have free access at any time to any establishment where minors are, or may be employed or detained, and any person who refuses to allow the inspector to have free access to any such establishment and every part thereof; or who hinders or obstructs him in his inspection, or who makes any false statement to the inspector about the establishment, its operation or condition, or about any person working or detained therein, or who refuses to comply with any order issued under authority of section 15 of this act, shall be guilty of a misdemeanor, and shall be fined not less than fifty nor more than one hundred dollars, and on subsequent conviction shall be fined not less than two hundred dollars. It shall be the duty of the inspector to remove from any establishment any child found employed, working or detained therein contrary to law, and to remove therefrom any child who is afflicted with any infectious, contagious, or communicable disease. [1915 p 193 s 16]

Violation of act, illegal employment, etc.—Any person, firm or corporation who violates any of the provisions of this act, or who permits any child to be employed or to work in or about, or be detained in, or to be in or about any establishment, contrary to law, or who fails or refuses to obey within a reasonable time, any lawful orders or directions given by the State official charged with the enforcement of this act, unless a specified penalty is herein otherwise provided, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not less than ten dollars nor more than one hundred dollars, and upon second or subsequent conviction of any violation of any of the provisions of this act, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars. [1915 p 193 s 17]

False affidavits.—Any person who makes a false affidavit when an affidavit is required under this act is guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than five dollars nor more than twenty dollars, and for a second or subsequent conviction shall be imprisoned not more than ninety days. [1915 p 193 s 18]

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EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 7 to 21.—* * * the county boards of education shall perform the following duties:

* * * * * * *

(14) Select resident persons to enumerate the scholastic population of all children between the ages of seven and twenty-one years as provided by law, and to require that in enumerating the scholastic population, the name of the child, the name of the parent or guardian, the age of the child, the school to which it belongs and the distance to the nearest school, be recorded, and also the fact as to whether the child is able to read and write. White children and negro children shall be reported in separate lists, and in any town or city maintaining a public school system, the board of education of that incorporated city or town, is hereby empowered and required to enumerate the scholastic population of that city or town, as provided by law; and in addition to giving the name of the child, and the name of its parents or guardians, and stating whether the child can read and write, the name of the street and number of the house in which it resides shall be given. [1915 No 220 s 6]

EDUCATIONAL REQUIREMENTS—ALL OCCUPATIONS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15, inclusive; act in effect.—On and after the first day of October, 1917, every parent, guardian, or other person in the State of Alabama having control or charge of any child or children between the ages of eight and fifteen years inclusive, shall be required to send such child or children to a public school or to a private, denominational, or parochial school taught by a competent instructor, and such child or children shall attend school for at least eighty days during each and every scholastic year: *Provided*, That the county board of education, or in the case of an incorporated city or town, the city or town board of education, shall have power to reduce the period of compulsory attendance to not less than sixty days for any individual school: *Provided further*, That the period of compulsory attendance for each school shall commence at the beginning of the school, unless otherwise ordered by the county board of education or by the board of education of an incorporated city or town, as the case may be. [1915 No 470 s 1]

Exemption upon completion of seven grades; other exemptions.—Any or all children who have completed the elementary course of study of seven grades or the equivalent thereof, shall be exempt from the provisions of this act, and in case there be no public school within two and one-half miles by the nearest traveled road of any person between the ages of eight and fifteen years inclusive, he or she shall not be subject to the provisions of this act unless public transportation within reasonable walking distance is provided: *Provided further*, That the teacher of any school, with the approval of the attendance officer, shall have the authority in the exercise of a sound discretion to permit the temporary absence of children from the school, between the ages of eight and fifteen years inclusive, in extreme cases of emergency or domestic necessity. [1915 No 470 s 2]

Exemptions if physically or mentally unfit.—Any or all children who are physically or mentally incapacitated for the work of the school are exempt from the provisions of this act, but the school authorities shall have the right and they are hereby authorized when such exemption under the provisions of this act is claimed by any parent, guardian, or other person having control of such child or children, to require from a practicing physician a properly attested certificate that such child or children should not be required to attend school for some physical or mental condition which renders his attendance impractical or inexpedient. [1915 No 470 s 3]

Exemptions on account of poverty.—In any cases where because of extreme poverty, the services of such child are necessary for his own support or the support of his parents, as attested by an affidavit of said parents and such witnesses as the attendance officer hereinafter provided for may require, or in any case where such parent, guardian, or other person having control of the child, shall show before any justice of the peace by affidavit of himself and of such witnesses as the attendance officer hereinafter provided for may require, that the child is without necessary books and clothing for attending school and that he is unable to provide the necessary books and clothes, then said child may be excused from the provision of this

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act until, through charity or other means, books and clothing shall have been provided, and thereafter the child shall no longer be exempt from such attendance. [1915 No 470 s 4]

Enforcement: appointment of attendance officers.—The county boards of education shall divide their respective counties exclusive of all cities and towns, into not less than one or more than five attendance districts, and said board shall appoint an attendance officer for every district created, who shall hold his office at the will of the county board of education, and the boards of education of all cities and towns shall appoint one or more attendance officers for their respective cities and towns to serve at the pleasure of the appointing board. [1915 No 470 s 5]

Enforcement: duties of principals.—At the beginning of the annual period of compulsory attendance, the State superintendent of education or the county superintendent of education, as the case may be, shall supply to each principal teacher in each school a list of all children between the ages of eight and fifteen years inclusive, who shall attend such school. At the end of the fifth day of the compulsory attendance period of any school, the principal teacher shall report to the attendance officer of the attendance district, the names and addresses of all persons between the ages of eight and fifteen years, inclusive, who have not enrolled in said school, and throughout the compulsory attendance period, the principal teacher of each school shall report to the attendance officer of the attendance district the names and addresses of all pupils between the ages of eight and fifteen years, inclusive, who are absent for five consecutive days and whose absence is not satisfactorily explained by the parent, guardian, or other person having control of the child. [1915 No 470 s 6]

Enforcement: duties of attendance officers.—It shall be the duty of the attendance officer to investigate all cases of non-enrollment and non-attendance reported to him in accordance with section 6. In all cases investigated where no valid reason for non-enrollment or non-attendance is found, it shall be the duty of the attendance officer to give written notice to the parent, guardian, or other person having control of the child, and in the event of the absence of the parent, guardian, or other person having control of the child, from his or her usual place of residence, the attendance officer shall leave a copy of the notice with some person over twelve years of age residing at the usual place of residence, with instructions to hand such notice to such parent, guardian, or other person having control of such child, which notice shall require the attendance of said child at such school within three days from date of said notice. [1915 No 470 s 7]

Prosecution.—If within three days from date of service of the notice, the parent, guardian, or other person having control of the child, does not comply with the provisions of this act, then the attendance officer shall make complaint in the name of the State of Alabama against such parent, guardian or other person having control of such child, in a court of record of such county, which court is hereby clothed with jurisdiction over all offenders and the proceedings under this act, with full power to hear and try all complaints, impose fines, enforce their collection, by imprisonment if necessary, and fully execute the provisions of this act. [1915 No 470 s 8]

Employment from 8 to 15, inclusive, during school hours without permit prohibited; exceptions; penalty for parent, employer, etc.—It shall be unlawful for any merchant, corporation, company, or other person, without the written permit of the county board of education or the board of education of any incorporated city or town, as the case may be, to employ during school hours any child between the ages of eight and fifteen years, inclusive, unless such child is exempt under the provisions of sections 2, 3, or 4 of this act: *Provided*, That any parent, guardian, or other person having control of such child delinquent in school attendance, or any merchant, corporation, company, or other person violating the provisions of this act, shall be guilty of a misdemeanor and shall be fined in a sum not less than five dollars nor more than fifty dollars, and may be committed to the county jail for a term not to exceed thirty days: *Provided*, That all fines collected shall be paid into the county treasury: *Provided further*, That it is hereby made the duty of all city attorneys in their respective cities, and all county and circuit solicitors for the districts of their respective counties and for such incorporated cities and towns as do not employ a city attorney, to prosecute all complaints filed and actions brought under this act. [1915 No 470 s 9]

Enforcement: duties of school officers, teachers, etc.—All school officers, including those in private, denominational, or parochial schools in this State, offering instruction to pupils within the compulsory attendance ages, are hereby required to make and furnish all reports that may be required by the State superintendent of education and by the county superintendent of education or by the board of education of any incorporated city or town, with reference to the workings of this act. Every

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teacher employed in the public schools of the State of Alabama is hereby required, before receiving each month's salary, to make a report to the county superintendent of education, or to the superintendent or principal of an incorporated city or town in which he may be employed, showing the names and addresses of all pupils who have been truant or habitually absent from school during the previous month, and stating the reasons for such truancy or habitual absence, if known: *Provided*, That all such cases of said truancy shall be brought to the notice of the attendance officer by the county superintendent or by the superintendent or principal of the school in any incorporated city or town, as the case may be, and the same shall be investigated by said officer. [1915 No 470 s 10]

Enforcement: duties of county superintendent of education.—In order that the provisions of this act may be more definitely enforced, the county superintendent of education shall, not later than ten days before the compulsory attendance term, furnish to each principal teacher of a rural school, and to the superintendent or principal of the school or schools in any incorporated city or town, a list of all the children from eight to fifteen years of age, inclusive, who should attend the school or schools under the charge of the said principal teacher of a rural school, or of the superintendent or principal of a school or schools in any incorporated city or town, as the case may be, giving the name, date of birth, age, sex, race, and estimated distance from the schoolhouse by the nearest traveled road, the name and address of parents, guardian, or other person in parental relationship. [1915 No 470 s 13]

Enforcement: lists to be furnished teachers, etc.—The information required under section 13 shall be prepared by the county superintendent of education during the even numbered years, from the census booklets on file in his office, and in the odd numbered years, it shall be prepared by the county superintendent of education by correcting and supplementing the list prepared and furnished by him the preceding year; and to this end the district trustee or trustees of any rural school, and the secretary of the board of education in any incorporated city or town, shall furnish to the county superintendent of education on or before the fifteenth day of August of each odd numbered year, a list of all pupils who have removed from the bounds of the school or schools, as the case may be, and an additional list giving the name, date of birth, age, sex, race, and estimated distance from the school house by the nearest traveled road, and the name and address of the parent, guardian, or other person in parental relationship of those pupils who have moved within the bounds of the school or have become eight years of age since the last school census. [1915 No 470 s 14]

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ALASKA

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COAL MINES

HOURS OF LABOR

Eight hours a day in United States underground mines; exception.—* * * Each lease [from the United States Government for coal lands in Alaska] shall contain provisions * * * including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency * * *. [38 United States Statutes at Large Chapter 320 page 40 section 12]

Penalty; revocation of lease.—That any such lease may be forfeited and canceled by appropriate proceeding in a court of competent jurisdiction whenever the lessee fails to comply with any provision of the lease or of general regulations promulgated under this act; and the lease may provide for the enforcement of other appropriate remedies for breach of specified conditions thereof. [38 U S Stat L C 330 p 740 s 14]

Enforcement: Secretary of the Interior to prescribe regulations, etc.—The Secretary of the Interior is authorized to prescribe the necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act. [38 U S Stat L C 330 p 740 s 17]

INTOXICATING LIQUORS

MINIMUM AGE

Presence of minors and women in saloons prohibited; enforcement: revocation of license.—Every person applying for a license to sell intoxicating liquors in said District shall file with the clerk of the court a petition for such license, verified by the applicant's oath * * *. Said petition shall contain:

* * * * * * *

Sixth. [The statement] That said applicant will not * * * permit any female or minor in or about the rooms where liquor is sold or served. * * *

Should it appear to the district judge, after the granting of any such license, that * * * the applicant is permitting any of the things to be done or exist on or about the premises contrary to the statements required in the petition, it shall be the duty of such judge to forthwith enter an order revoking such license, and all license moneys deposited by the applicant shall be thereby forfeited, and it shall be the duty of the United States marshals and their deputies and the United States attorneys and their deputies in said District to investigate and report to the district judge any violations of any of the provisions of this section * * *. [Compiled Laws 1913 section 2574]

Penalty.—Any person, having obtained a license under this act [s 2581-2590], who shall violate any of its provisions, shall, upon conviction of such violation, be fined not less than fifty dollars nor more than two hundred dollars, and upon every subsequent conviction of such violation during the year for which such license is issued shall be fined a like amount, and in addition to such fine shall pay a sum equal to twenty-five per centum of the amount of the fine imposed for the offense immediately preceding, and have his license revoked, and in case of nonpayment of the fines and penalties above named shall be imprisoned for a period of time not exceeding six months, or till the same are paid. After second conviction no license shall thereafter be granted to said party * * *. [C L 1913 s 2582]

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Employment of minors and women in saloons prohibited.—No licensee under a bar-room license shall employ, or permit to be employed, or allow any female or minor * * * to sell, give, furnish, or distribute any intoxicating drinks or any admixture thereof, ale, wine, or beer to any person or persons. * * * [C L 1913 s 2587]

MINES, SMELTERS, ETC.

HOURS OF LABOR

Employment in mines, smelters, etc., declared injurious and dangerous.—Employment in underground mines, underground workings, open cut, open pit workings, smelters, reduction works, stamp mills, roller mills, concentrating mills, chlorination processes, cyanide processes, gypsum mines and other quarries, coal mines and in and around coke ovens, is hereby declared to be injurious to health and dangerous to life and limb. [1913 C 29 s 1 as amended by 1915 C 6]

Eight hours a day; exceptions; application of act.—The period of employment of working men in underground workings, underground mines, stamp mills, roller mills, open cut and open pit workings as applied to metalliferous mining, under ground placer mining, smelters, reduction works, concentrating mills, gypsum mines and quarries, chlorination processes, cyanide processes, coal mines and in and around coke ovens shall not exceed eight (8) hours within any twenty-four (24) hours, except on such days as change of shift is made, excluding, however, any intermission of time for lunch or meals, and excluding also the time required in descending to and ascending from, or otherwise going to or from the place where the work is actually carried on, whether going to or coming from the place of work be in going on or off shift, or in going to or returning from meals or lunch; it being the intention of this act to limit the hours of employment in any twenty-four (24) hours to eight (8) hours of actual labor at the face or other place or places where the work or labor to be done is actually performed; except in case of emergency where life or property is in imminent danger, or in case of urgent necessity, the period may be extended during the continuance of such emergency or urgent necessity: *Providing*, This act shall also apply to and include rock quarries, gypsum quarries or workings, coal mines, metalliferous lode mining, underground workings in placer mining claims, and all other kinds of underground workings of any kind or character whatsoever. [1913 C 29 s 2 as amended by 1915 C 6]

NOTE.—[Chapter 72 of the Acts of 1913, as amended and supplemented by chapter 69 of the Acts of 1915, provides for the appointment of a Territorial mine inspector and defines his duties and jurisdiction, but his duties as specifically defined appear to relate only to safety.]

Penalty.—Any person, persons, body corporate, general manager or employer who shall violate, or cause to be violated, any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred ($100.00) dollars or more than five hundred ($500.00) dollars, or by imprisonment in the Federal jail not less than ninety (90) days nor more than six (6) months; or by both fine and imprisonment. Every day's violation of the provisions of this act shall constitute a separate offense. [1913 C 29 s 3]

Constitutionality of act.—If it shall be adjudicated that any portion, section, or part of any section of this act, is unconstitutional and invalid for any reason, an adjudication or invalidity of such portion, section, proviso or part of any section of this act shall not affect the validity of the act as a whole or any part thereof. [1913 C 29 s 4]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

White children from 8 to 16; exceptions.—Every parent, guardian, or other person having possession or control of any white child or child of mixed blood living a civilized life in the Territory of Alaska, between the ages of eight and sixteen years, residing within two miles of any school outside of an incorporated town where a school to which such child is entitled to admission is maintained, or within the limits of an incorporated town where a school to which such child is entitled to admission is maintained, shall cause such child regularly to attend school during the entire school year, unless the physical or mental condition of such child is such as to render such attendance inexpedient or impracticable, or such child has been excused for other cause by an excuse in writing signed by the majority of the school board: *Provided*, That any child who has completed a course of study equal to that covered by the public schools of the

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Territory shall not be required to attend school. [1913 C 44 s 1 as ratified by 1915 C 41]

Enforcement; penalty.—Every parent, guardian, or other person having possession or control of any white child or child of mixed blood living a civilized life, as hereinbefore described, who shall, without legal excuse, permit such child to be absent from school for a total of five days on which sessions are held during any one school quarter shall be deemed guilty of a misdemeanor and be punished by a fine of not less than five nor more than twenty dollars and the cost of the prosecution, and shall be imprisoned in the Federal jail until such fine and costs are paid: *Provided*, That such person so convicted shall be imprisoned one day for every two dollars of such fine and costs; and each absence of five days shall constitute a separate offense: *Provided further*, That the court may suspend sentence, stay or postpone the enforcement of execution, or release from custody any person found guilty in any case under this act upon such condition as shall seem to be to the best interests of the child and fair under the circumstances, but no sentence shall be suspended or final judgment or execution stayed in the case of any person found guilty under this act for a period to exceed the end of the school year during which such person is convicted. If at any time prior thereto it shall appear to the satisfaction of the court that such person has complied faithfully with the conditions of any suspended sentence, judgment or execution, or is for any cause in the opinion of the court, entitled to be released therefrom, the court may suspend such sentence indefinitely, in which case such person shall be released and discharged, as he shall be in any event at the expiration of the school year from the imposition of any such fine. It shall be the duty of the principals of the schools hereinbefore described nearest the place at which offending parent, guardian, or other person resides to report each case and violation of this act to the school board, and such board shall if it sees fit to, lay the case before the United States commissioner in whose precinct such school is situated, and the said United States commissioner shall thereupon issue a warrant for the arrest of the said delinquent and have power and jurisdiction to act upon the complaint of the school board, and take such action or impose such fine, under this act, as the circumstances justify. [1913 C 44 s 2 as ratified by 1915 C 41]

COMPULSORY SCHOOL ATTENDANCE

Native children from 8 to 16; exceptions; penalty.—Every parent, guardian, or other person having possession or control of any Eskimo, Aleut, Indian, or other native child (which shall include children of mixed blood not leading civilized life) in the Territory of Alaska, between the ages of eight and sixteen years, who shall, without legal excuse, permit such child to be absent from any United States public school for Alaska natives for a total of five days on which sessions are held during any one school quarter, when the residence of such child is within one mile of such United States public school (unless such child is being taught at some other school or by private tutor such branches as are taught in the United States public schools for Alaska natives, or unless the physical or mental condition of such child renders its attendance at school inexpedient or impracticable, or such child has been excused for other cause by an excuse in writing signed by the principal of such school or by the superintendent of schools of the district in which such school is located) shall be subject to the provisions and penalties of section two of this act: *Provided*, That the word residence in this section shall be construed to include any habitation of such child occupied for a period of thirty days or more: *And provided further*, That the complaint in the case of such child shall be made to the United States commissioner by the district superintendent or any teacher of such United States public school for Alaska natives, or any other person directly interested in the education of the natives of Alaska. [1913 C 44 s 3 as ratified by 1915 C 41]

Enforcement: appointment, duties, and powers of truant officers.—Each of the district superintendents of the United States public schools conducted under the bureau of education is hereby authorized and empowered to appoint a truant officer, or truant officers, who shall serve without compensation as such officer, or officers, in each or any of the native school districts, whose duty it shall be to arrest during school hours, without warrant, any child who is found away from home and school, and who is known to such officer to come within the provisions of section three of this act and shall deliver such child to the teacher, or to the parent, guardian, or other person having control of such child and shall report this action to the teacher; and any such truant officer shall have power to arrest and bring before any United States commissioner, the parent, guardian, or other person having control of any child subject to the provisions of section three of this act, upon a warrant duly issued by such United States commissioner upon complaint sworn out by him. [1913 C 44 s 4 as ratified by 1915 C 41]

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MINES

MINIMUM AGE

Application of act.—The term "mine" when used in this act, shall include any and all parts of any mine within the Territory, and any mining plant or equipment connected therewith underground or on the surface, which contributes, or may contribute, to the mining of ore, coal or other metalliferous or non-metalliferous mining product. [1913 C 72 s 8 as added by 1915 C 69]

Enforcement: duties and powers of Federal mine inspector.—The Federal mining inspector or inspectors shall have authority in the absence of the Territorial mining inspector,[1] to enforce the provisions of this act. In all such cases the Federal mining inspector shall report in detail to the Governor of the Territory of Alaska all cases wherein he has invoked the aid of the Territorial mine inspection act. [1913 C 72 s 9½ as added by 1915 C 69]

Employment of boys under 16 in underground mines prohibitied.—Boys under the age of sixteen years shall not be employed underground in a mine. [1913 C 72 s 20 as added by 1915 C 69]

Copy of act to be kept open to inspection.—It shall be the duty of the superintendent of any mine, within the provisions of this act, to keep at all times, in the office of said mine, and in the timekeeper's office thereof, in an accessible place and subject to inspection by all workmen and persons interested in the same at least one printed copy of this act. * * * [1913 C 72 s 29 as added by 1915 C 69]

Penalty.—Any persons or corporations failing to comply with any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than fifty ($50.00) dollars, nor more than one thousand ($1000.00) dollars, or be imprisoned in the Federal jail for a period of not less than thirty (30) days, nor more than one (1) year, or punished by both such fine and imprisonment, at the discretion of the court. [1913 C 72 s 30 as added by 1915 C 69]

[1] This is the only provision implying that the Territorial mining inspector must enforce the minimum age provision contained in section 20 of this act. His duties as specifically defined by this chapter appear to relate only to safety. He has no jurisdiction over coal mines to be worked under lease from the United States Government.

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ARIZONA

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ALL OCCUPATIONS

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited during school hours and under 16 prohibited in underground mines or in dangerous or injurious occupations; 8 hours a day; night work prohibited.—No child under the age of fourteen years shall be employed in any gainful occupation at any time during the hours in which the public schools of the district in which the child resides are in session; nor shall any child under sixteen years of age be employed underground in mines, or [nor] in any occupation injurious to health or morals or hazardous to life or limb; nor in any occupation at night, or [nor] for more than eight hours in any day. [Constitution article 18 section 2]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21.—It shall be the duty of the census marshal, during the month of February of each year, to take the census of all the children between six and twenty-one years of age in his district. [Revised Statutes 1913 Civil Code title 11 Chapter 10 section 2754]

Report to county superintendent.—He shall report the result of his labors to the county school superintendent on or before the first day of April of the year in which the census is taken. [R S 1913 Civ C t 11 C 10 s 2755]

Contents of report.—His report must be made under oath, upon the blanks furnished by the superintendent of public instruction, and must show:

(1.) The number, age, sex, color and nationality of the children listed, Indians excepted, provided that Indians not living on reservations shall be enumerated.
(2.) The names of parents and guardians of said children.
(3.) The number of children between the ages of six and twenty-one.
(4.) The number of children between the ages of eight and sixteen.
(5.) The number attending public schools.

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(6.) The number attending private schools.
(7.) The number not attending school.
(8.) Such other facts as the superintendent of public instruction may designate.
(9.) He must include in his report all children that are absent, attending institutions of learning, but whose parents or guardians are residents of the district.
(10.) He must not include in his report children who are attending school in the district, but whose parents do not reside therein. [R S 1913 Civ C t 11 C 10 s 2756]

Method of enumeration.—He shall visit each habitation, home, residence, domicile or place of abode in his district, and by actual observation and interrogation enumerate the census children of the same. [R S 1913 Civ C t 11 C 10 s 2757]

Penalty.— * * * If the census marshal neglect or refuse to make his report at the time and in the manner herein required, he shall be deemed guilty of a misdemeanor, and on conviction, be punished by a fine not exceeding one hundred dollars or imprisonment for not more than three months. [R S 1913 Civ C t 11 C 10 s 2763]

ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; exceptions; employment under 16 during school hours without permit prohibited; penalty for employer.—No child under the age of sixteen years shall be employed by any person, persons, company or corporation during the school hours of any school day of the school term of the public school in the school district where such child resides, unless such child presents a written permit from the board of trustees for reasons herein specified. Every such employer shall require proof that such child has been excused from such attendance, and shall keep a record of such proof, which shall be open to the inspection of an attendance officer, peace officer or school trustee, teacher, principal or superintendent, of the district. Any employer employing a child contrary to the provisions of this section shall be deemed guilty of a misdemeanor, and liable to a fine of not less than twenty-five dollars, nor more than one hundred dollars, to be placed to the credit of the school fund of the district. Every parent, guardian, or other person in the State of Arizona, having control of any child between the ages of eight and sixteen years shall be required to send such child to a public school or private school taught by a competent instructor for the full time that the public school is in session in the school district, such attendance to be continuous, for five days in the week during the hours prescribed by law: *Provided*, That such person [parent], guardian or other person having control of such child shall be excused from such duty by the board of trustees of the district whenever it shall be shown to its satisfaction that one of the following reasons exists:
(1.) That such child is taught at home by a competent teacher in the branches taught in the common schools of the State.
(2.) That he is attending a regularly organized private or parochial school taught by competent teachers, the regular school hours for five days in the week for the full time that the public school is in session in the district.
(3.) That such child is in such physical or mental condition (as declared by a competent physician approved by the board) as to render such attendance inexpedient or impracticable.
(4.) That such child has already completed the grammer school course prescribed by the State board of education.
(5.) Such child may be excused from attendance for reasons satisfactory to a board consisting of the president of the school board, superintendent, principal or teacher, and a probation officer appointed by the superior judge, after such board has met and heard the reasons for non-attendance. [R S 1913 Civ C t 11 C 14 s 2802]

Penalty.—Any parent, guardian or other person failing to comply with the provisions of section 89 [2802] of this chapter [s 2798–2804] shall be deemed guilty of a misdemeanor, and, upon conviction, be fined in a sum not less than five dollars and not more than twenty-five dollars for such offense * * *. [R S 1913 Civ C t 11 C 14 s 2803]

Enforcement: duties of deputy sheriffs, attendance officers, etc.—It shall be the duty of the deputy sheriff, constable, city marshal, or attendance officer of the precinct in which said school district is located, to inquire into all such cases of neglect of the duties prescribed in this chapter [s 2798–2804] and to ascertain from the person so neglecting, the reason, if any, therefor; and if there be no legal excuse shown shall forthwith proceed to secure the prosecution of any offense occurring under this chapter. * * * [R S 1913 Civ C t 11 C 14 s 2804]

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ELECTRIC POWER PLANTS

HOURS OF LABOR

Business declared dangerous.—The business of conducting and operating an electric light plant, or any electric power plant, is hereby declared to be hazardous and dangerous to those employed therein. [R S 1913 Civ C t 14 C 1 s 3098]

Eight hours a day for certain employees; exceptions.—It shall be unlawful for any person, corporation or association operating or managing any electric light plant, or any electric power plant, or both, within this State, to permit, or cause to be permitted, any operating engineer or fireman, or switchboard operator, or any attendant in its service, employed in or about such plants, to be on duty more than eight hours in any twenty-four consecutive hours, except in cases of emergency when life or property is in imminent danger. [R S 1913 Civ C t 14 C 1 s 3099]

Penalty.—Any person, corporation or association that shall violate the preceding section of this chapter [s 3098–3109], shall pay a fine not to exceed one hundred dollars for each violation of the same. Each day's violation of any of the provisions of this chapter shall constitute a separate offense. [R S 1913 Civ C t 14 C 1 s 3100]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations and in tenement houses, messenger, telephone and telegraph service, etc.; exceptions.—No child under fourteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any mill, factory, workshop, or mercantile establishment, tenement house, [sic] manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transportation of merchandise or messages: *Provided*, That boys over ten and under fourteen years of age may be licensed, by the board of trustees of the school district where such child resides, to sell papers or engage in other work outside of school hours when, in the judgment of said board, said work will not be harmful to the boy, either physically or morally. [R S 1913 Civ C t 14 C 2 s 3110]

ALL OCCUPATIONS

MINIMUM AGE

Employment under 14 during school hours prohibited.—It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever during the hours in which the public schools of the district in which the child resides are in session. [R S 1913 Civ C t 14 C 2 s 3111]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery.—No child under the age of sixteen years shall be employed, permitted, or suffered, to work at any of the following occupations or in any of the following positions; sewing machine belts in any workshop or factory, or assisting in any capacity whatever; adjusting any belt to any machinery; oiling, wiping, or cleaning machinery, or assisting therein; operating or assisting in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood polishing machinery, picker machines, machines used in picking wool, machines used in picking cotton, machines used in picking hair, machines used in picking any upholstering material, paper lacing machines, leather burnishing machines, burnishing machines in any tannery or leather manufactory; job or cylinder printing presses operated by power other than foot power, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines used in sheet-metal and tin-ware manufacturing, stamping machines in washer and nut factories, corrugating rolls such as are used in roofing and washboard factories; steam boilers, steam machinery or other steam-generating apparatus, dough brakes or cracker machinery of any description, wire or iron straightening machinery, rolling mill

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machinery, punches, or shears; washing, grinding or mixing mills; calendar [calender] rolls in rubber manufacturing, laundering machinery. [R S 1913 Civ C t 14 C 2 s 3112]

Specific occupations prohibited under 16; dangerous processes, saloons, places where malt or alcoholic liquors are manufactured, etc.—No child under the age of sixteen years shall be employed, permitted, or suffered to work in any capacity in, about, or in connection with, the preparing of any composition in which dangerous or poisonous acids are used, manufacture of paints, colors, or white lead; dipping, drying, or packing matches; manufacture of goods for immoral purposes; nor in, about, or in connection with any mine, coal breaker, quarry, smelter, ore reduction works, laundry, tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared, distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled; hotel, theater, concert hall, drug store, saloon, or place of amusement, nor in operating any automobile, motor car or truck; nor in a bowling alley, nor in any other employment declared by the State board of health to be dangerous to lives or limbs, or injurious to the health or morals of children under the age of sixteen. [R S 1913 Civ C t 14 C 2 s 3113]

Employment under 16 may be prohibited by State board of health in other occupations.—The State board of health may from time to time determine whether or not any particular trade, process of manufacture, or occupation, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs, or injurious to the health or morals, of minors under sixteen years of age employed therein to justify their exclusion therefrom, and may prohibit their employment therein. [R S 1913 Civ C t 14 C 2 s 3114]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND SEATS FOR GIRLS

Constant standing prohibited for girls; seats to be provided and their use permitted.—Females shall not be employed, permitted, or suffered to work in any capacity where such employment compels them to remain standing constantly. Every person who shall employ any female in any place or establishment mentioned in the first section [3110] of this chapter [s 3110–3145] shall provide suitable seats, chairs, or benches for the use of the females so employed, which shall be so placed as to be accessible to said employees; and shall permit the use of such seats, chairs, or benches by them when they are not necessarily engaged in the active duties for which they are employed, and there shall be provided at least two chairs to every three females. [R S 1913 Civ C t 14 C 2 s 3115]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 16; lists to be posted.—No child under sixteen years of age shall be employed, permitted, or suffered, to work in, about, or in connection with, any place or establishment named in the first section [3110] of this chapter [s 3110–3145] unless the person, firm or corporation employing such child procures and keeps on file, and accessible to any school attendant officer or inspector of factories, mercantile establishments, or mines, or other authorized inspector, an employment certificate as hereinafter prescribed; and keep two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. [R S 1913 Civ C t 14 C 2 s 3116]

Inspection of certificates and lists.—Inspectors of factories, mercantile establishment[s], or mines, and other authorized inspectors and school attendance officers, may require that the employment certificates and lists provided for in this chapter [s 3110–3145] shall be produced for their inspection. [R S 1913 Civ C t 14 C 2 s 3117]

Certificates to be returned to issuing office.—On termination of employment of a child whose employment certificate is on file, such certificate shall be forthwith surrendered by the employer to the person who issued the same. [R S 1913 Civ C t 14 C 2 s 3118]

School authorities to issue certificates; exceptions.—An employment certificate shall be issued only by the county, city, or town superintendent of schools of the county, city, or town, wherein the applicant for such certificate resides, or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized by the school board: *Provided*, That no member of a school board or other person authorized as aforesaid shall have authority to issue such certificate for any child then in, or about to enter, such person's own employment or the employment of a firm or corporation of which he is a member, officer, or employee. [R S 1913 Civ C t 14 C 2 s 3119]

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Age and school records required.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers, duly executed:

(1) The school record of such child properly filled out and signed, as provided in this chapter [s 3110–3145].

(2) A passport or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child, or

(3) The affidavit of the parent or guardian or custodian of a child (which shall be required and valid, however, only in case no one of the above-mentioned proofs is obtainable), showing the place and date of birth of such child. Said affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath without demanding or receiving any fee therefor. [R S 1913 Civ C t 14 C 2 s 3120]

Transcript of birth certificate as evidence of age.—A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, shall be prima facie evidence of the age of such child for the purposes of this chapter [s 3110–3145]. [R S 1913 Civ C t 14 C 2 s 3121]

Method of issuing certificates; educational requirements; physical competence for the work.—No employment certificate shall be issued until the child in question has personally appeared before and has been examined by the officer issuing the certificate, nor until such officer, after making such examination, has signed and filed in his office a statement that the child can read and legibly write simple sentences in the English language, and that in his opinion the child is fourteen years of age or upwards and has reached normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which it intends to do, which shall be stated. In all cases such normal development, sound health, and physical fitness shall be determined by a medical officer of the board or department of health or by a physician appointed by the school committee. [R S 1913 Civ C t 14 C 2 s 3122]

Contents of certificates.—Every such employment certificate shall state the name, sex, the date and place of birth, of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved, and filed, and that the child named in such certificate has appeared before the officer signing the certificate and has been examined. Every such certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. It shall show the date of its issue. [R S 1913 Civ C t 14 C 2 s 3123]

Educational requirements; contents of school record.—The school record required by this chapter [s 3110–3145] shall be signed by the principal or chief executive officer of the school which such child has attended, and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto, or a parochial or private school or schools, for not less than one hundred and sixty days during the year previous to his arriving at the age of fourteen years, or during the year previous to applying for such school record, and is able to read and legibly write simple sentences in the English language, and has received instruction equivalent to five yearly grades in reading, spelling, writing, English grammar, and geography, and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the date of birth, the age, and the residence of the child as shown on the records of the school, and the name of its parent or guardian or custodian. [R S 1913 Civ C t 14 C 2 s 3124]

Monthly reports to State superintendent of certificates issued and refused.—The superintendent of schools or other person authorized to issue employment certificates shall transmit between the first and tenth days of each month, to the office of the State superintendent of public instruction, upon blanks to be furnished by him, a list of the names of the children to whom certificates have been issued, and also a list of the names of the children to whom certificates have been refused, together with the ground for refusal. Such lists shall give the name of the prospective employer and the nature of the occupation the child intends to engage in. [R S 1913 Civ C t 14 C 2 s 3125]

Proof of age required for children apparently under 16.—The State superintendent or other authorized inspector or school attendance officer shall make demand on any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed, or permitted or suffered to work, and whose employment certificate is not filed as required by this chapter [s 3110–3145], that such employer shall either furnish him, within ten days, satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ, or permit or suffer such child

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to work in such factory. The inspector of factories or other authorized inspector, or the school attendance officer, shall require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. [R S 1913 Civ C t 14 C 2 s 3126]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 18; machinery, dangerous processes, etc.—No child under the age of eighteen years shall be employed, permitted or suffered to work in, about, or in connection with, blast furnaces, smelters, or ore reduction works, in the outside erection and repair of electric wires, in the running or management of elevators, lifts, or hoisting machines; in oiling hazardous and dangerous machinery in motion, at switch tending, gate tending, track repairing, as brakeman, fireman, engineer, motorman, conductor upon any railroads, in or about establishments where nitroglycerine, dynamite, dualin, guncotton, gunpowder or other high or dangerous explosives are manufactured, compounded or stored; nor in any other employment declared by the State board of health to be dangerous to the lives or limbs or injurious to the health or morals of children under the age of eighteen. [R S 1913 Civ C t 14 C 2 s 3127]

Employment under 18 may be prohibited by State board of health in other occupations.—The State board of health may from time to time determine whether or not any particular trade, process of manufacture, or occupation, or any particular method of carrying on such trade, process of manufacture, or occupation, is sufficiently injurious to the lives or limbs or injurious to the health or morals of minors under eighteen years of age employed therein to justify their exclusion therefrom, and may prohibit their employment therein. [R S 1913 Civ C t 14 C 2 s 3128]

MINES

MINIMUM AGE FOR GIRLS

Employment of girls prohibited.—No female shall be employed, permitted or suffered to work in or about any mine, quarry or coal breaker. [R S 1913 Civ C t 14 C 2 s 3129]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 21 in cities and towns.—In incorporated cities and towns no person under the age of twenty-one years shall be employed, or permitted to work, as a messenger, for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [R S 1913 Civ C t 14 C 2 s 3130]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, for boys under 16 and girls under 18; farm and domestic work excepted.—No boy under the age of sixteen years and no girl under the age of eighteen years shall be employed, permitted, or suffered, to work at any gainful occupation other than domestic service or work on a farm more than forty-eight hours in any one week, nor more than eight hours in any one day; or before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening. The presence of a child in any establishment during working hours shall be prima facie evidence of its employment therein. [R S 1913 Civ C t 14 C 2 s 3131]

Hours to be posted.—Every employer shall post in a conspicuous place in every room where any boy under the age of sixteen years or any girl under the age of eighteen years is employed, permitted, or suffered to work, a printed notice stating the hours required of them each day of the week; the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the inspector of factories or other authorized inspector, and the employment of any minor for a longer time

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in any day so stated or at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this chapter [s 3110–3145]. [R S 1913 Civ C t 14 C 2 s 3132]

STREET TRADES IN CITIES

MINIMUM AGE

Specific trades prohibited for boys under 10 and girls under 16.—No male child under ten and no female child under sixteen years of age shall in any city sell or expose or offer for sale newspapers, magazines, periodicals, or other merchandise in any street or public place. No child shall work as a bootblack in any street or public place unless he is over ten years of age. [R S 1913 Civ C t 14 C 2 s 3133]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of factory and other inspectors[1] *and school attendance officers.*—Inspectors of factories and other authorized inspectors and school attendance officers may visit any place of employment mentioned in this chapter [s 3110–3145], and ascertain whether any minors are employed therein contrary to the provisions hereof; and they shall report to the school authorities any cases of children under sixteen years of age discharged for illegal employment; and school attendance officers shall also report the same to the inspector of factories or other authorized inspector. It shall be the duty of factory and other duly authorized inspectors and school attendance officers to make complaints for offenses under this chapter and prosecute the same. This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints. [R S 1913 Civ C t 14 C 2 s 3134]

PENALTIES

Violation of act by parent, employer, etc.—Whoever employs any child, and whoever having under his control as parent, guardian, or otherwise any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this chapter [s 3110–3145], shall for such offense be fined not less than five dollars nor more than two hundred dollars or be imprisoned for not less than ten days nor more than thirty days, or both, in the discretion of the court. [R S 1913 Civ C t 14 C 2 s 3135]

Employment after notification.—Whoever continues to employ any child in violation of any of the provisions of this chapter [s 3110–3145], after being notified thereof by a school attendance officer, or an inspector of factories, or other authorized inspector shall for every day thereafter that such employment continues be fined not less than five dollars nor more than twenty dollars. [R S 1913 Civ C t 14 C 2 s 3136]

Retention of employment certificate by employer.—Any person, firm or corporation retaining an employment certificate in violation of section * * * [3118] of this chapter [s 3110–3145] shall be fined not less than five dollars nor more than fifty dollars. [R S 1913 Civ C t 14 C 2 s 3137]

False statement by person authorized to sign certificate, etc.—Any person authorized to sign any certificate, affidavit, or paper called for by this chapter [s 3110–3145], who knowingly certifies to any materially false statement therein, shall be fined not less than five dollars nor more than one hundred dollars. [R S 1913 Civ C t 14 C 2 s 3138]

Failure to produce certificates or lists evidence of employment.—A failure by an employer to produce to a school attendance or factory officer or authorized inspector any employment certificate or list required by this chapter [s 3110–3145] shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not so listed. [R S 1913 Civ C t 14 C 2 s 3139]

Failure to produce proof of age for child apparently under 16 evidence of employment.—In case any employer shall fail to produce and deliver to a factory inspector or other authorized inspector or school attendance officer, within ten days after demand made pursuant to section * * * [3126] of this chapter [s 3110–3145], the evidence of age therein required, and shall thereafter continue to employ such child or permit or suffer such child to work in such place or establishment, proof of the giving of such

[1] Chapter 33 of the Acts of 1912 authorizes the election of a State mine inspector who may appoint three deputy inspectors, but there is no law providing for factory inspection in Arizona.

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notice and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor. [R S 1913 Civ C t 14 C 2 s 3140]

Refusing information; children.—Any child working in or in connection with any of the establishments or places or in any of the occupations mentioned in either sections * * * [3110, 3112, 3113, 3127, 3129, 3131], who refuses to give to the factory inspector or other authorized inspector or the school attendance officer his or her name, age, and place of residence, shall be forthwith conducted by the inspector or school attendance officer before the judge of the juvenile court, or other proper municipal or police authority, for examination and to be dealt with according to law. [R S 1913 Civ C t 14 C 2 s 3141]

Failure to post hours.—Any employer who fails to post the printed notice required by section * * * [3132] of this chapter [s 3110–3145] in the manner herein specified shall be fined not less than ten dollars nor more than fifty dollars. [R S 1913 Civ C t 14 C 2 s 3142]

Failure of person issuing certificate to comply with act.—Any superintendent of schools or other person issuing employment certificates who fails to comply with the provisions of this chapter [s 3110–3145] shall be fined not less than five dollars nor more than twenty-five dollars. [R S 1913 Civ C t 14 C 2 s 3143]

Failure to provide seats.—Every employer who fails to provide suitable seats, chairs, or benches, as provided in section * * * [3115] of this chapter [s 3110–3145], shall be fined not less than ten dollars nor more than fifty dollars. [R S 1913 Civ C t 14 C 2 s 3144]

Failure to procure and file employment certificates and post lists.—Every employer who fails to procure and keep on file employment certificates or who fails to keep and post list, as provided in section * * * [3116] of this chapter [s 3110–3145], shall be fined not less than ten dollars nor more than fifty dollars. [R S 1913 Civ C t 14 C 2 s 3145]

MINES

MINIMUM AGE

Application of act; definition of terms.—The terms of this chapter [s 4053–4091] shall apply to all mines in the State of Arizona. The term "mine" when used in this chapter shall include any and all parts of any mine within the State, and any mining plant or equipment connected therewith, underground or on the surface, which contributes, or may contribute, to the mining or handling of ore, coal, or other metalliferous or nonmetalliferous mineral product. * * * [R S 1913 Civ C t 34 C 3 s 4053]

Enforcement: duties and powers of mine inspector.—It shall be the duty of the mine inspector, by himself or by deputy, to visit, at least once every three months, every mine in this State employing fifty or more men underground, and every other working mine employing six or more men, at least once every year, and oftener, if in his opinion the safety of the men employed in the mine so require[s]; and to inspect, investigate, inquire, and examine into, the operation, workings, * * * and in general to inspect and ascertain what means are taken to comply with the provisions of this chapter [s 4053–4091]. For the purpose of making such inspection and ascertaining facts in connection with such investigation, examination, and inquiry, the inspector, or his deputy, shall have full power and authority, upon exhibition of his certificate of appointment or election, at all hours to enter and examine any part of any mine, and to visit, investigate, and examine any plant or equipment connected therewith, within this State, or any part of the workings thereof. All operators and their employees shall render to the inspector, or his deputy, such assistance as may be necessary to enable the inspector, or his deputy, to make such examination. [R S 1913 Civ C t 34 C 3 s 4062]

Employment underground of boys under 18 prohibited.—Boys under eighteen years of age shall not be employed underground in a mine. [R S 1913 Civ C t 34 C 3 s 4079]

Penalty.—Any person who violates any provisions of this chapter [s 4053–4091] where other penalty is not expressly provided shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not less than fifty dollars or not more than three hundred dollars, or imprisonment in the county jail not less than thirty days or not to exceed one year, or both such fine and imprisonment. [R S 1913 Civ C t 34 C 3 s 4091]

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PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in singing, rope walking, dancing, etc., prohibited; parent, employer, etc.—Any person, whether as parent, relative, guardian, employer or otherwise, having in his care, custody, or control, any child under the age of sixteen years, who shall sell, apprentice, give away, let out, or otherwise dispose of any such child to any person under any name, title, or pretense for the vocation, use, occupation, calling, service, or purpose of singing, playing on musical instruments, rope walking, dancing, begging, or peddling, in any public street or highway, or in any mendicant or wandering business whatsoever, and any person who shall take, receive, hire, employ, use, or have in his custody, any child for such purposes, or either of them, is guilty of a misdemeanor. [R S 1913 Penal Code part 1 t 9 C 2 s 252]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Endangering life, health, or morals of child prohibited; penalty for parent, etc.—Any parent, guardian, or other person, having the custody of any child, who shall willfully cause or permit the life of it to be endangered, or the health of it to be injured, or the moral welfare of it to be imperiled by neglect, abuse, or immoral associations; or it to be placed in such a situation that its life may be endangered, or its health likely to be injured, or its moral welfare, by reason of neglect, abuse or immoral associations be likely to be imperiled, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not more than three hundred dollars, or imprisoned in the county jail for a period of two months, or punished by both such fine and imprisonment. [R S 1913 Pen C pt 1 t 9 C 2 s 253]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors in saloons prohibited; penalty.—It shall be unlawful for the owner of any saloon within the State of Arizona to permit any woman or minor, either for hire or otherwise, to sing, to recite, to dance, to play on any musical instrument, to give any theatrical or other exhibition, to drink, serve drinks or any other form of refreshment or viands, or to solicit for the purchase or sale thereof; to engage in, or to take part in, any game of chance or amusement, or to loiter in any saloon or in any room or apartment, except the lobby of a legitimate hotel, opening from or into any saloon within the State of Arizona. Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars, nor more than three hundred dollars, or by imprisonment in the county jail for not less than thirty days or more than one hundred and eighty days, or by both such fine and imprisonment in the discretion of the court. [R S 1913 Pen C pt 1 t 9 C 2 s 254]

RAILROADS[1]

MINIMUM AGE

Employment of telegraph or telephone operators under 18 prohibited.—No railway company, or corporation operating a line or lines of railway within this State, shall hire, employ, or permit any person to act as a telegraph or telephone operator for the purpose of receiving or transmitting messages, orders, or other instructions, governing or affecting the movement of any train or trains, unless said person shall be at least eighteen years of age and have had not less than one year's experience as a telegraph operator. [R S 1913 Pen C pt 1 t 11 s 403]

Penalty.—Any such company or corporation, its officers or agents, violating any of the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars and not more than one thousand [dollars] for each and every offense. [R S 1913 Pen C pt 1 t 11 s 404]

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[1] See court decision on page 7 (New York).

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HOURS OF LABOR

Period of rest after 16 hours' work; exceptions.—No company operating a railroad in whole or in part within the State of Arizona shall require any conductor, engineer, fireman, brakeman, telegraph operator, or any employee who has worked in his respective capacity for sixteen consecutive hours, except in case of casualty, or actual necessity, to again go on duty, or perform any work until he has at least nine hours' rest. [R S 1913 Pen C pt 1 t 11 s 405]

Penalty.—Any company which violates or permits to be violated any of the provisions of the preceding section or any officer or agent of such company who violates or permits to be violated any of the provisions of the preceding section, shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars for each and every violation thereof. [R S 1913 Pen C pt 1 t 11 s 406]

ENFORCEMENT

Duties and powers of corporation commission.—It is hereby made the duty of the [corporation] commission to see that the provisions of the constitution and statutes of this State affecting public service corporations, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected, and to this end it may sue in the name of the people of the State of Arizona. Upon the request of the commission, it shall be the duty of the attorney general or the county attorney of the proper county to aid in any investigation, hearing or trial had under the provisions of this chapter and to institute and prosecute actions or proceedings for the enforcement of the provisions of the constitution and statutes of this State affecting public service corporations and for the punishment of all violations thereof. [R S 1913 Civ C t 9 C 11 s 2348]

MINES, SMELTERS, ETC.

HOURS OF LABOR

Eight hours a day; exceptions; penalty.—The period of employment for all persons who are employed, occupied or engaged, in work or labor, of any kind or nature, in underground mines or underground workings, open cut workings or open pit workings, in search, for or in the extraction of, minerals, whether base or precious, or who are engaged in such underground mines, underground workings, open cut workings, or open pit workings for other purposes, or who are employed, engaged or occupied, in other underground workings of any kind or nature, open cut workings or open pit workings, for the purpose of tunneling, making excavations, or to accomplish any other purpose or design, or who are employed, engaged, or who work, in or about, or in connection with, the operation of smelters, reduction works, stamp mills, concentrating mills, chlorinating processes, cyanide processes, cement works, rolling mills, rod mills, and at coke ovens and blast furnaces, shall not exceed eight hours within any twenty-four hours, and the said eight hours shall include the time employed, occupied, or consumed, in descending to and ascending from the point or place of work in any underground mine or underground workings, or the time employed, occupied or consumed in leaving the surface of any tunnel, open cut, or open pit workings, for the point or place of work therein, and in returning thereto from said point or place of work, and that it is the intent and purpose of this act [s 713] that the period of time between leaving the surface of underground mines, underground workings, open cut workings, open pit workings, and tunnels for the point, or place of work and in returning thereto from said point or place of work, shall not exceed eight hours within any twenty-four hours: *Provided*, That in the case of emergency, where life or property is in imminent danger, the period may be prolonged during the continuance of such emergency: *And provided further*, That nothing in this section contained shall be deemed to prevent a change in the hours of employment from one part of the day to another at stated periods, nor to prevent the employment of any of the persons mentioned in this section for more than eight hours during the day in which such change is made: *And provided however*, That such change in the hours of employment shall not occur more than once in any two weeks. Any person or persons, body corporate, general manager, superintendent, or employer, who shall violate any provision of this section, and any person, who, as foreman, manager, superintendent, director, or officer of a corporation, or as employer or superior officer of any person, shall command, persuade, or

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allow any person to violate any provision of this section shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars, or by imprisonment not less than three months nor more than six months. It shall be the duty of the jury in each trial for a violation of the provisions of this section in case of jury trial, to decide whether the punishment shall be by fine or imprisonment, or by both fine and imprisonment, and each day's violation shall be a separate offense. [R S 1913 Pen C pt 1 t 19 s 713]

NOTE.—[Section 714, title 19, part 1, of the Revised Statutes of 1913, Penal Code, provides that "the period of employment of working women and other persons who shall be employed in working in the laundry department in any laundry establishment, shall be eight hours in any day except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week, and in no case shall the hours of labor exceed forty-eight hours in a week." Section 716 prescribes a penalty "of not less than one hundred dollars nor more than three hundred dollars for each offense" for violation of this provision. These sections, however, are apparently covered, so far as women and boys under 16 are concerned, by title 14, chapter 2, of the Revised Statutes, Civil Code, and sections 717 to 720, title 19, part 1, of the Revised Statutes, Penal Code.]

MERCANTILE ESTABLISHMENTS, LAUNDRIES, HOTELS, ETC.

HOURS OF LABOR FOR GIRLS

Eight hours a day, 56 a week; time for meals required; exceptions.—No female shall be employed or be permitted to work in any mercantile establishment, confectionery store, bakery, laundry, hotel, restaurant, or telephone or telegraph office or exchange, in this State, more than eight hours during any one day or more than fifty-six hours during any one week: *Provided*, That at least one hour for meals be allowed each female during her working period, but no part of such hour for meals shall be included as a part of the permitted working period: *Provided further*, That the said eight-hour period of work shall be performed within a period of twelve hours, the period of twelve hours during which such labor must be performed not to be applicable to railroad restaurants or eating houses located upon railroad rights of way and operated by or under contract with any railroad company: *And provided further*, That in any such mercantile establishment, confectionery store, or bakery, where females are employed for six days only in any one week, two additional hours (making a total working period of ten hours) may be added to said permitted period of daily labor on one of said six working days, but in all cases the permitted period of daily labor must be performed within said period of twelve hours: *And provided further*, That the provisions of this section shall not apply to females employed in any such telephone or telepraph office or exchange in which not more than three females are employed, or to female nurses. [R S 1913 Pen C pt 1 t 19 s 717]

Enforcement: evidence of violation.—The employment of any female in any place or establishment defined in the preceding section, at any time other than those of the posted hours of labor, as herein provided for, shall be prima facie evidence of a violation of this act * * * [s 717–720]. [R S 1913 Pen C pt 1 t 19 s 718]

Hours to be posted.—Every employer shall post in a conspicuous place in every room where such females are employed, a printed notice stating the hours of commencing and stopping such work, the time allowed for dinner or other meals, and the maximum number of hours any female employee is permitted to work in any one day. [R S 1913 Pen C pt 1 t 19 s 719]

Penalty.—Any person violating any provision of this act * * * [s 717–720] is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars or by imprisonment for a period of not less than thirty days, or by both such fine and imprisonment. [R S 1913 Pen C pt 1 t 19 s 720]

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ALL OCCUPATIONS

CONTRACTS OF MINORS

Contracts binding if approved by parents or guardians; not longer than one year.—The contract of a minor, when approved by the parent having control of such minor, or, in case there be no parent, when approved by his guardian, or the contract of any minor over fifteen years of age having neither parent or guardian shall be binding: *Provided*, A contract with such minor shall not be for a longer period than one year. [Kirby's Digest 1904 section 5023]

COAL MINES

MINIMUM AGE

Employment of boys under 14, or under 16 if illiterate, and of girls of any age, prohibited.—No person under the age of fourteen years, or female of any age, shall be permitted to enter any [coal] mine to work therein; nor shall any boy under the age of sixteen years, unless he can read and write, be allowed to work in any mine * * *. [K D 1904 s 5343]

NOTE.—[The provisions of the above section, in so far as they refer to children under 16, are apparently superseded by section 4 of act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914.]

Enforcement: duties of State mine inspector.—It shall be the duty of said inspector to visit and inspect personally all coal mines in this State, where there are ten or more persons employed to work underground at said mine, at least once every ninety days, and at all other times when required by his duties, and shall see that precaution is taken to insure health and safety of the workmen employed in any of the mines, and that the provisions and requirements of this act [s 5337–5354] be observed and the law enforced * * *. Said inspector shall not obstruct or hinder the necessary working of any mine, when examining and inspecting the same, unless necessary to make a thorough inspection. [K D 1904 s 5347 as amended by 1905 Act 225 s 3]

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Penalty; application of act.—* * * Any other person convicted of a violation of any provision of this act [s 5337–5354], or failing in any manner to comply therewith, except such provision for which punishment has already hereinbefore been fixed, shall be punished by a fine of not less than twenty-five dollars; and each day any such violation or failure shall continue shall be deemed a separate offense: *Provided*, The provisions of this act shall only apply to coal mines: *Provided further*, The provisions of this act do not apply to mines when less than ten men are employed underground in twenty-four hours. [K D 1904 s 5354 as amended by 1907 A 74]

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions; act not to apply to passenger trains.—Any company owning or operating a railroad over thirty miles in length in whole or in part within this State shall not permit or require any conductor, engineer, fireman, brakeman or any trainman on any train, or any telegraph operator who has worked in his respective capacity for sixteen consecutive hours, to again be required to go on duty or perform any work until he has had at least eight hours rest, except in cases of wrecks or washout[s]: *Provided*, That at the expiration of the said sixteen hours' continuous service, the engineer and trainmen on any train, being at a distance not exceeding twenty-five miles from any division terminal or destination point, shall be permitted, if they so elect, to run said train into said division terminal or destination point: *It being further provided*, That the additional service permitted under this section shall not be so construed as to relieve any railway corporation from liabilities incurred under section 6654: *And provided further*, That the provision of this act [s 6652–6654] shall not apply to passenger trains. [K D 1904 s 6652]

Court decision.—A local freight train carrying a caboose and required to carry passengers is not a "passenger train" but is a freight train within the above section.—Kansas City & M. Ry. Co. v. Huff, 173 S. W. 419 (1915).

Penalty.—Any railroad company or corporation knowingly violating any of the provisions of this act [s 6652–6654] shall be liable to a penalty of not less than one hundred dollars nor more than two hundred dollars for the first offense; for any subsequent offense, of not less than two hundred dollars nor more than three hundred dollars, which shall be recovered in a civil action in the name of the State. [K D 1904 s 6653]

Defense of contributory negligence abrogated for accident during violation.—In addition to the penalty prescribed herein any corporation violating the provisions of this act [s 6652–6654] shall not be permitted to interpose the defense of contributory negligence in the event of action being brought to recover for damages resulting from any accident which shall occur and by which injury shall be inflicted on any employee who may be detained in service more than said sixteen hours, notwithstanding negligence of said injured employee may have caused his own injury or death; nor shall said defense of contributory negligence be interposed if the said injury result in the death of said employee and the action is brought for the benefit of his next of kin. [K D 1904 s 6654]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21.—The directors shall annually, between the first and twentieth days of July, transmit to the county examiner a written report, in proper form, of * * * the names and ages of all persons between the ages of six and twenty-one years residing in their district on the first day of July; the number of males and females respectively of each color that attended the common schools during the last school year; the average number of each sex that attended daily; the number that pursued each of the studies designated to be taught in the common schools of this State; the number of times the school was visited each term by the directors; the number of days the school was taught during the year by a licensed teacher; * * * and they shall record the said report in the proper place in the district book in which the current record of the proceedings of the district is kept. [K D 1904 s 7633]

[1] See court decision on page 7 (New York).

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Enumeration report to be under oath.—The annual and enumeration reports of the directors of the various school districts of the State of Arkansas shall be good under their official oaths, when signed by them officially: *Provided*, That any director or school officer who certifies falsely to any such report shall be guilty of a misdemeanor, and fined in any sum not less than five dollars nor more than twenty-five dollars. [K D 1904 s 7634]

SAW AND PLANING MILLS

HOURS OF LABOR

Ten hours a legal day's work.—Ten hours shall constitute a legal day's work for all classes of workingmen and laborers, designated in section 2 of this act. [1905 A 49 s 1]

Application of act.—This act shall apply to all associations of persons, companies, or corporations, engaged in the business of operating or constructing saw and planing mills in this State, and to all workingmen and laborers now, or hereafter to be employed by any such association, company, or corporation, in any department relating to the running and management of said mills. [1905 A 49 s 2]

Penalty; contracts for less number of hours allowed.—Any association, company, or corporation engaged in the business of operating or construction of saw and planing mills in the State as aforesaid, or any officer or agent thereof, who shall exact more hours of labor than is herein fixed as a day's labor, or who shall discharge or refuse to further employ any servant or employee by reason of his refusal or unwillingness to perform more than ten hours of labor per day, or who shall fail to comply with, violate, or directly or indirectly evade the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five dollars, nor more than two hundred dollars * * *: *Provided*, That each day's violation of this act or of any part thereof shall be considered a separate offense: *Provided however*, That nothing in this act shall prevent employer and employee, as mentioned in section 2 of this act, from contracting for a less number of hours for a legal day's work than is mentioned in section 1 of this act. [1905 A 49 s 3]

RAILROADS[1]

HOURS OF LABOR

Eight hours a day for certain telegraph and telephone operators.—It shall be unlawful for any person, corporation, association, their agents or officials operating a railroad within this State to permit any telegraph or telephone operator who is engaged in the handling of trains by the use of the telegraph or telephone, reporting trains to each other and to the train dispatcher registering the same, and operating one or more train order signals, telegraph or telephone levermen who manipulate lever machines in railroad yards, or on the main tracks out of [on] the line, connecting sidetracks or switches or train dispatchers in its service whose duties pertain to the movement of cars, engines or trains on its railroad by the use of the telegraph or telephone in dispatching or reporting trains, or receiving or transmitting train orders or messages directing the movement of trains as interpreted in this section, to be on duty for more than eight (8) hours in any twenty-four (24) consecutive hours. [1907 A 282 s 1]

Penalty.—Any person, corporation, association, their agents or officials that shall violate section 1 of this act shall pay a fine of five hundred dollars for each violation of this act. [1907 A 282 s 2]

FACTORIES AND MANUFACTURING ESTABLISHMENTS

NOTE.—[Act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914, repeals all acts or parts of acts inconsistent with its provisions. This provision appears to repeal entirely sections 2, 3, and 4 of act number 456 of the Acts of 1907 (not quoted here), and may also repeal sections 1, 5, 6, 7, and 8 of the same act, quoted below.]

MINIMUM AGE

Employment under 12 prohibited; certain canning industries exempted during school vacation.—No child under twelve years of age shall be employed or allowed to labor in or about any factory or manufacturing establishment within this State under any circumstances: *Provided*, That this act shall not apply to industries engaged in the preservation of fruits or vegetables during the school vacation period. [1907 A 456 s 1]

[1] See court decision on page 7 (New York).

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AGE CERTIFICATES

Affidavit required; penalty for false affidavit.—It shall be unlawful for any owner, superintendent, agent or any other person acting for or in behalf of any factory or manufacturing establishment to hire or employ any child unless there is first provided and placed on file in the office of such employer an affidavit signed by the parent or guardian or person standing in parental relation thereto, certifying to the age and date of birth of such child, and other facts required in this act. Any person knowingly furnishing a false affidavit as to the age or as to any other facts required in this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not exceeding one hundred dollars. [1907 A 456 s 5]

ENFORCEMENT

Affidavits to be open to inspection.—The affidavits * * * required in this act shall be open to inspection by the grand juries or the citizens of any county where such factory or manufacturing establishments are located. [1907 A 456 s 6]

PENALTIES

Violation by employer, parent, etc.—Any person or agent, or representative of any firm or corporation, who shall violate any provision of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not exceeding one hundred dollars. Any parent, guardian or other person standing in parental relation to a child who shall hire or place for employment or labor in or about any factory or manufacturing establishment within this State a child in violation of any provision of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not exceeding one hundred dollars. [1907 A 456 s 7]

Each day of violation a separate offense.—Each day during which this act is violated, where the violation is continuous, shall constitute a separate offense. [1907 A 456 s 8]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in concert halls, saloons, etc., prohibited; exceptions; parent, etc.—It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, to exhibit, use or employ as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or for any illegal, obscene, indecent or immoral purposes, exhibition or practice whatsoever, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music. [1909 A 170 s 1]

Employment under 14 in concert halls, saloons, etc., prohibited; employer.—It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child under the age and for the purpose prohibited in the first section of this act. [1909 A 170 s 2]

NOTE.—[Sections 1 and 2 of act No. 170 of the Acts of 1909 quoted above appear to be partly superseded by section 4 of act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914, which fixes a minimum age of 16 for employment in certain of these occupations.]

Penalty.—Any person who shall be convicted of violating any of the provisions of the preceding sections of this act shall be fined not exceeding one hundred dollars or be imprisoned in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense, shall be fined not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding six months. [1909 A 170 s 4]

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ENFORCEMENT

Powers of justice of the peace.—Any justice of the peace of the county in which any of the offenses defined in this act are committed, may upon his own knowledge, or upon the oath of any competent person, issue a warrant to any proper officer of his county for the arrest of any person charged with such offense * * *. [1909 A 170 s 5]

Powers of society for prevention of cruelty.—The agents of any society which shall be incorporated for the prevention of cruelty to animals is [are] hereby given jurisdiction over any violations of this act and shall have power to enforce and prosecute all such violations, and upon being appointed thereto by the president of such society in any county in this State, may within such county make arrests and bring before any court or magistrate thereof having jurisdiction, offenders violating the provisions of this act. [1909 A 170 s 6]

Interference to prevent act of cruelty.—Any officer, agent or member of such society may lawfully interfere to prevent the perpetration of any act of cruelty upon any child in his presence. Any person who shall interfere with or obstruct any such officer, agent or member in the discharge of his duty shall be guilty of a misdemeanor. [1909 A 170 s 7]

Penalty.—Every person who shall be convicted of any misdemeanor, the punishment of which is not defined in this or some other statute, shall be punished by imprisonment not exceeding one year, or by fine not exceeding two hundred and fifty dollars, or by fine and imprisonment both. [K D 1904 s 2448]

Entrance and search of buildings.—Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has any just and reasonable cause to suspect that any of the provisions of this act or any law relating to or anywise affecting cruelty to children, are being, or about to be violated in any particular building or place, such magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing him to enter and search such building or place and to arrest any person there present found violating this act or any of said laws, and to bring such person before the nearest magistrate of competent jurisdiction, to be dealt with according to law. [1909 A 170 s 8]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; from 16 to 20 if not regularly employed.—Every parent, guardian or other person in the State of Arkansas, having charge and control of any child between the ages of (8) and (16) years, shall cause such child to attend regularly some day school, public, private, parochial or parish, not less than one-half of the entire time the public school said child attends is in session, during any one year, or shall provide such child at home with such regular daily instruction during the usual hours as shall be, in the judgment of court or school board having competent jurisdiction, substantially equivalent to at least the instructions given the children of like age and advancement at the day public school in the locality in which said child resides: *Provided*, That every parent, guardian or other person in the State of Arkansas, having charge and control of any child between the ages of sixteen and twenty years, who is not actively and regularly and lawfully engaged in some useful employment or service, shall cause said child to attend school as hereinbefore provided for children from 8 to 16 years. [1909 A 234 s 1]

Temporary exemption on account of poverty or upon completion of seven grades; other exemptions.—Any child between the ages aforesaid may be excused temporarily from complying with the provisions of this act, in whole or in part, if it be shown to a court of competent jurisdiction or school board of said district, that said parent or guardian, or person having charge or control of said child, is not able through extreme destitution, to provide proper clothing for said child, or that said child is mentally or physically incapacitated to attend school for the whole period required or any part thereof, or that there is no public school taught within two and one-half miles of the residence of said child by the nearest traveled road, or that the labor of said child is absolutely necessary for the support of the family, or that said child has completed

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a common school course, including seven (7) grades, and has certificate of the same from the school said child attended * * *. [1909 A 234 s 2]

NOTE.—[It would appear that the clause in the above section, exempting from school attendance a child whose labor is necessary for the support of the family, is nullified by the provisions of act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914, requiring employment certificates for children under 16 in any employment and forbidding employment to children under 14, with certain exemptions during vacation only. The same act would apparently substitute by implication a clause exempting from school attendance children between 14 and 16 who have employment certificates.]

Enforcement: appointment, duties, and powers of attendance officers.—The board having charge of a public school in a city or district shall appoint for a period of one year, one or more attendance officers to enforce the provisions of this act. * * * The attendance officers shall serve written or printed notices upon the parents or guardians, or persons who have charge and control of any child or children as aforesaid who violate the provisions of this act, and shall, when reasonable doubt exists as to the age of any child, require a properly attested birth certificate or an affidavit stating such child's age, the date of birth and physical characteristics; and shall have the right to visit and enter any office or factory or business house employing children as aforesaid; and the right to require a properly attested certificate of attendance of any child or children at such day school; and power to arrest without warrant, all truants and nonattendants as aforesaid and place them in some public school, unless the parents, guardians, or persons in charge and control of said children, respectively, shall at once place them in some other day school as aforesaid. * * * [1909 A 234 s 3]

Penalty.—Any parent or guardian, or person having charge and control of any child between the ages of 8 and 16 years, violating any of the provisions of this act, shall be warned as aforesaid, as soon as possible after the beginning of the public school term of the city, town or district in which such child resides, and also at any time thereafter by the attendance officer herein provided for, or by the clerk of district where no attendance officer is provided for, to place and keep said child in regular attendance at some day school, within ten days from the service of the said written or printed notice of warning, and upon failure to comply with this act, after the lapse of ten days from the date of the service of said notice of warning, said parent, guardian, or person having charge or control of said child shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten ($10.00) dollars and not more than twenty-five ($25.00) dollars: *Provided*, That such fine may be suspended and finally remitted by the court trying the case, with or without payment of cost, at discretion of the court, if the said child be immediately placed in regular attendance in some day school as aforesaid, and if such fact of regular attendance is proven subsequently to the satisfaction of said court by attested certificate of attendance by the superintendent or teacher of said day school. [1909 A 234 s 5]

NOTE.—[The provisions of sections 7 and 8 of act No. 234 of the Acts of 1909, relating to employment of children, are apparently superseded by act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914.]

Application of act: certain counties exempted.—* * * *Provided*, The following counties shall be exempted from the provisions of this act: Arkansas, Ashley, Baxter, Boone, Bradley, Calhoun, Clark, Chicot, Cleburne, Columbia, Conway, Crittenden, Cross, Dallas, Desha, Drew, Hempstead, Hot Spring, Howard, Izard, Jefferson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Marion, Miller, Mississippi, Monroe, Montgomery, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Pulaski, Saline, Searcy, Woodruff and Yell. [1909 A 234 s 9]

NOTE.—[Act No. 347, Acts of 1909, enacts for nine counties, including four of those exempted by act No. 234, Acts of 1909, a compulsory attendance law for children from eight to sixteen years of age, in the main corresponding in its provisions with those of act No. 234. The principal points of difference, except those apparently superseded by act No. 1, proposed by initiative petition, and passed by referendum vote Sept. 14, 1914, are:

(1) In section 1 that attendance is compulsory between the ages of eight and fourteen;
(2) In the proviso to section 1 that children not engaged in some useful employment must attend school between fourteen and sixteen years of age instead of between 16 and 20;
(3) In section 2 that the exemption because of completion of common school course requires 8 grades;
(4) That the fine provided in section 5 is from $5 to $25; and
(5) That an additional section [section 10] makes the maximum penalty upon parent, etc., $25 or imprisonment for 30 days, or both.]

NOTE.—[The first six sections of act No. 231, Acts of 1911, are practically identical with sections 1 to 6 of act No. 234, Acts of 1909. But sections 7 and 8 of act No. 234, Acts of 1909, do not appear in act No. 231, Acts of 1911, section 7 of which is appended.]

Application of act: certain counties exempted.—* * * *Provided*, The following counties shall be exempted from the provisions of this act: Baxter, Cleburne, Polk, Madison, Franklin, Jefferson, Sebastian, Yell, Independence, Scott, Drew, Little

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River, Lonoke, Woodruff, Boone, Bradley, Calhoun, Desha, Lafayette, Lincoln, Marion, Monroe, Phillips, Ashley, Dallas, Columbia, Montgomery, Chicot, Hot Spring, Saline, St. Francis, Benton, Lee, Ouachita, Pope, Union, Crittenden, Pulaski, Prairie, Hempstead, Howard. [1911 A 231 s 7]

MANUFACTURING, MECHANICAL, MERCANTILE, AND OTHER ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—In every manufacturing, mechanical, mercantile and other establishment in this State wherein girls or women are employed, there shall be provided and conveniently located seats sufficient to comfortably seat such girls or women, and during such times as such girls or women are not necessarily required by their duties to be upon their feet, they shall be allowed to occupy the seats provided. [1913 A 235 s 1]

Penalty.—Any person or corporation violating the provisions of this act shall be punished by a fine of not less than ten dollars nor more than fifty dollars, and each day any such manufacturing, mechanical, mercantile and other establishment shall fail to provide the seats required by this act shall constitute a separate offense. [1913 A 235 s 2]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Commissioner of labor and statistics to notify county or district attorney of violation of law.—If the commissioner of labor [and] statistics shall learn of any violation of the law with respect to the employment of children, or fire escapes, or the safety of employees, or the preservation of health, or in any other way affecting the employees, he shall at once give written notice of the facts to the county or district attorney of the county in which the law has been violated, or of some other county, if any there be, having jurisdiction of the offense, and the county or district attorney to whom such notice has been given shall immediately institute the proper proceedings against the guilty persons. [1913 A 322 s 12]

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 14 prohibited; exceptions.—No child under the age of fourteen shall be employed or permitted to work in any remunerative occupation in this State, except that during school vacation children under fourteen years may be employed by their parents or guardians in occupations owned or controlled by them. [1914 A 1 s 1] [1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS, ETC.

MINIMUM AGE AND EDUCATIONAL REQUIREMENTS

Certain occupations prohibited under 16; saloons, theaters, etc.; educational requirements for employment in any occupation under 16.—No child under sixteen years shall be employed or permitted to work in any occupation dangerous to the life and limb, or injurious to the health and morals of such child; or in any saloon, resort or bar where intoxicating liquors of any kind are sold or dispensed; nor shall any child under the age of sixteen be employed upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show, nor shall any such child be employed who has not passed four yearly grades in the public school or equivalent thereof. [1914 A 1 s 2]

[1] Act proposed by initiative petition and passed by referendum vote Sept. 14, 1914.

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MINIMUM AGE

Specific occupations prohibited under 16; machinery; employment in other occupations may be prohibited by State board of health.—No child under sixteen shall be employed or permitted to work at any of the following occupations: (1) Adjusting any belt to any machinery; (2) sewing or lacing machine belts in any workshop or factory; (3) oiling, wiping or cleaning machinery or assisting therein; (4) operating or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood polishing machinery; (f) wood turning or boring machinery; (g) picker machines or machines used in picking wool[;] (h) carding machines; (i) job or cylinder printing presses operated by power other than foot power; (j) boring or drill presses; (k) stamping machines used in metal or in paper or leather manufacturing; (l) metal or paper cutting machines; (m) corner staying machines in paper box factories; (n) steam boilers; (o) dough brakes or cracker machinery of any description; (p) wire or iron straightening or drawing machinery; (q) rolling mill machinery; (r) washing, grinding or mixing machinery; (s) laundering machinery; (5) or in proximity to any hazardous or unguarded belt, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic. The State board of health may, from time to time, after a hearing duly had, determine what other occupations are sufficiently dangerous to the life or limb or injurious to the health or morals of children under sixteen years to justify their exclusion therefrom; and no child under sixteen years of age shall be employed or permitted to work in any occupation thus determined to be dangerous or injurious: *And provided*, That there shall be right of appeal to the State or county court from any such determination. [1914 A 1 s 3]

Specific occupations prohibited under 16; dangerous processes, mines, etc.—No child under the age of sixteen shall be employed, permitted or suffered to work in any capacity; (1) in, about or in connection with any processes in which dangerous or poisonous acids or gases or other chemicals are used; (2) nor in soldering; (3) nor in occupations causing dust in injurious quantities; (4) nor in scaffolding; (5) nor in heavy work in the building trades; (6) nor in any tunnel or excavation; (7) nor in any mine, coal breaker, coke oven, or quarry; (8) nor in a bowling alley or pool or billiard room; nor in any other occupation dangerous to the life and limb, or injurious to the health and morals of such child. [1914 A 1 s 4]

ALL OCCUPATIONS

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, under 16.—No child under the age of sixteen years shall be employed, permitted or suffered to work for more than six days in any week, nor more than forty-eight hours in any week, nor more than eight hours in any day; or before the hours of six in the morning or after seven in the evening. [1914 A 1 s 5]

Ten hours a day, 54 a week, 6 days a week, and night work prohibited, under 18.—No boy or girl under the age of eighteen years shall be employed, permitted or suffered to work in any occupation for more than six days in any week, or more than fifty-four hours in any week, nor more than ten hours in any one day, or before the hours [sic] of six in the morning or after the hour of ten in the evening. [1914 A 1 s 6]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required under 16; school authorities or commissioner of labor and statistics to issue certificates.—No person, firm or corporation shall employ or permit any child under sixteen years to work in or in connection with any establishment or occupation, unless the person, firm or corporation employing such child procures and keeps on file and accessible to the proper official, an employment certificate as hereinafter provided. The employment certificate shall be issued only by the superintendent or principal of the public schools, or some person authorized by him in writing in the city, town or township where such child resides, or by the commissioner of labor and statistics, or by some person duly authorized by him. [1914 A 1 s 7]

Age and school records required; method of issuing and contents of certificates.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the documentary evidence that the child is of the age and educational standard represented; nor until he has person-

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ally examined the child who shall sign the certificate in the presence of the officer issuing the same. Each certificate shall show the date of its issuance, the name, sex, date and place of birth and the place of residence of the child, and shall contain a statement of the proof of age accepted and shall certify that the child named in such certificate has appeared before the officer issuing the same. [1914 A 1 s 8]

Authorities issuing certificates; exceptions.—No member of the school board or other person shall have authority to issue employment certificates to any child then in or about to enter such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee. [1914 A 1 s 9]

Age and school record blanks.—Upon the enactment of this law it shall become the duty of the State superintendent of public instruction to provide suitable blanks to be furnished to the superintendent of schools of each district within the State, on which may be recorded conclusive evidence as to the age and educational standing of every child applying for an employment certificate. [1914 A 1 s 10]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of commissioner of labor and statistics, factory and mine inspectors, truant officers, etc.; revocation of certificate.—The commissioner of labor and statistics, inspectors of factories or mines, probation officers, agents of the humane society, truant officers, and other authorized inspectors, may within their respective districts or jurisdiction, visit and inspect at any time any place where children are employed, and shall ascertain whether any minors are employed therein contrary to the provisions of this act; and they shall report to the school authorities any cases of children under sixteen years of age discharged for illegal employment; and truant officers shall also report the same to the commissioner of labor and statistics. It shall be the duty of the commissioner of labor and statistics, factory inspectors, mine inspectors, agents of the humane society, probation officers, truant officers, and other authorized inspectors charged with the enforcement of this act, to make complaints against any person violating any of the provisions of this act, and to prosecute the same in a court of competent jurisdiction. And the commissioner of labor and statistics may revoke any employment certificate issued in violation of this act. This act shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints. [1914 A 1 s 11]

APPLICATION OF ACT

Act not to interfere with industrial education in schools.—Nothing in this act shall prevent children of any age from receiving industrial education furnished by the United States, this State, or any city or town in the State and duly approved by the State board of education or by any other duly constituted public authority. [1914 A 1 s 12]

PENALTY

Violation of act.—Any person, firm or corporation employing a child in violation of this act; or any person authorized to sign any certificate, affidavit or paper called for by this act; or any employer, parent, guardian or custodian of any child, who employs, permits or suffers such child to be employed in violation of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than one hundred dollars. All fines collected for violations of this act shall be paid into the building fund of the school district in which the offense is committed. [1914 A 1 s 13]

NOTE.—[The above act is quoted as Initiative Act No. 1, on pages 1505 to 1511 of the Acts of 1915.]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS.

Nine hours a day, 54 a week, 6 days a week; application of act.—No females shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, or by any express or transportation company in this State for more than nine hours in any one day, or more than six days, or more than 54 hours in any one week: *Pro-*

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vided however, That the present law governing the employment of children under 16 years of age shall not be repealed by this act. [1915 A 191 s 1]

Night work prohibited under 18.—No female under 18 years of age shall be employed or permitted to work in, or in connection with, any of the establishments or occupations named in section 1 of this act before the hour of 7 o'clock in the morning, or after the hour of 9 o'clock in the evening of any one day. [1915 A 191 s 2]

Period of rest after 6 hours' labor where 3 or more females are employed; exceptions; ¾ of an hour for midday meal required.—No female shall be employed or permitted to work more than six hours continuously at any one time in any establishment or occupation named in section 1 of this act, in which three or more females are employed, without any [an] interval of at least three-quarters of an hour, except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half past 1 o'clock in the afternoon, and if she is then dismissed for the remainder of the day. The time allowed for noon luncheon shall not be less than three-quarters of an hour. [1915 A 191 s 3]

Hours to be posted.—Every employer shall post and keep posted in a conspicuous place in every room in any establishment or occupation named in section 1 of this act in which females are employed, a printed notice stating the number of hours such females are required or permitted to work on each day of the week, the hours of beginning and ending, the recess allowed for meals. The printed form of such notice shall be furnished upon application, by the commissioner of labor and statistics. The employment of any such female for longer time in any one day than that stated in a printed notice shall be deemed a violation of the provisions of this section. Where the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females employed, the commissioner of labor and statistics may issue a permit dispensing with the posting of the hours when the recess for meals begins and ends, and requiring the posting of only the total number of hours that females are required or permitted to work on each day of the week, and the hours of beginning and stopping such work; such permit shall be kept by such employer upon such premises and exhibited to all inspectors authorized to enforce this act. [1915 A 191 s 4]

Time book to be kept by employers.—Every employer shall keep a time book or record of every female employed in any establishment or occupation named in section 1 of this act stating the wages paid, the number of hours worked by her on each day of the week, the hours of beginning and ending such work and the hours of beginning and ending the recess allowed for meals. Such time books or record shall be open at all reasonable hours to the inspection of the officials authorized to enforce this act. Any employer who fails to keep such record as required by this section or makes any false statement therein or refuses to exhibit such time book or record, or makes a false statement to any official authorized to enforce this act in reply to any question put in carrying out the provisions of this act shall be liable for violation thereof. [1915 A 191 s 5]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of commissioner of labor and statistics, etc.—The commissioner of labor and statistics, or any person duly authorized by him, may, in the discharge of their [his] duties enter any establishment or occupation [sic] where females are employed mentioned in section 1 of this act as often as practicable during reasonable hours and shall cause the provisions of this act to be enforced therein, and have full police power in enforcing compliance therewith. [1915 A 191 s 6]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM WAGE FOR GIRLS

Specified minimum wage for females.—It shall be unlawful for any employer of labor mentioned in section 1 of this act to pay any female worker in any establishment or occupation less than the wage specified in this section, towit, except as hereinafter provided: All female workers who have had six months' practicable experience in any line of industry or labor shall be paid not less than $1.25 per day. The minimum wage for inexperienced female workers who have not had six months' expe-

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rience in any line of industry or labor shall be paid not less than $1.00 per day: *Provided*, That any inexperienced female workers or apprentices shall be given a certificate by their employers showing the amount of experience they have had, and all time served as inexperienced workers, or apprentices, shall be cumulative. All female workers working less than nine hours per day shall receive the same wages per hour as those working nine hours per day. [1915 A 191 s 7]

HOURS OF LABOR FOR GIRLS.

More than 9 hours a day may be permitted in canning factories, etc.; conditions; compensation for overtime.—Whenever it can be shown beyond question of doubt that it would work irreparable injury to any industry engaged in handling products [sic], such as canning factories and candy factories, to comply with the provisions of this act, regarding hours, a commission consisting of the commissioner of labor and statistics and two competent women to be appointed, one by the governor, and the other by the State commissioner of labor and statistics, may, by majority vote, after hearing duly held in which all interested parties may have been duly heard, permit such industry to operate more than nine hours per day: *Provided*, That women employed are paid at the rate of time and one-half for hours worked in excess of nine hours in any one day: *Provided however*, That said period in which overtime may be worked shall not ex- [exceed] 90 days in any one year. [1915 A 191 s 8]

MINIMUM WAGE FOR GIRLS

Rate for piecework, etc.; appointment and powers of commission to investigate and establish daily rate of wages, etc.—All females employed in any industry in this State, who are paid upon a piece-work basis, bonus system, or any other manner than by the day, shall be paid not less than the rate per day herein specified for female employees who are working on the day rate system, and a commission, consisting of the commissioner of labor and statistics and two competent women, one to be appointed by the governor, and one by the commissioner of labor and statistics, shall investigate, upon complaint, any line of industry wherein females are employed and if in their judgment said system of piece-work is working an injury to the general health of the employees, they may, after hearing, duly held, issue an order compelling said firm to abolish piece work, or any other injurious system, and establish a daily rate of wages for all female employees, said rate not to be less than the rate specified in section 7 of this act. [1915 A 191 s 9]

Powers of commission to establish minimum rates in different occupations.—Provided however, That if said commission should find, after an investigation, that a lower minimum rate of wages is adequate to supply a woman, or minor female worker engaged in any occupation, trade or industry, the necessary cost of proper living, and to maintain the health and welfare of such woman, or minor female workers, [the commission] may, after a public hearing duly held, at which time all interested employers and employees are given a reasonable opportunity to present their arguments, issue an order establishing a minimum wage rate that in their judgment is reasonable, and said rate so established shall be the legal minimum wage in the industry or occupation effected [affected], and should said commission find, after said investigation, that the minimum wage specified in section 7 in this act is insufficient to adequately supply a woman or minor female worker engaged in any occupation, trade or industry, the necessary cost of proper living and to maintain the health and welfare of such woman or other female worker, [the commission] may, after public hearing duly held, at which time all interested parties are given a reasonable opportunity to present their argument, issue an order establishing a higher minimum wage for female workers that in the judgment of the commission is reasonable, and said minimum wage rate so established by said commission, shall be the legal minimum wage in the industry or occupation affected. [1915 A 191 s 10]

HOTELS, RESTAURANTS, AND TELEPHONE ESTABLISHMENTS

MINIMUM WAGE AND HOURS OF LABOR FOR GIRLS

Powers of commission to establish regulations governing hours and wages; more than 9 hours a day prohibited.—Said commission, after a public hearing duly held, at which all interested persons are given an opportunity to present arguments, may establish regulations governing the employment of females in hotels, restaurants and

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telephone establishments: *Provided*, Said rules and regulations shall not permit female workers to be employed in excess of nine hours in any one day, nor at a lower rate of wages than will supply said female employees the cost of proper living, and safeguard their health and welfare. The rate of wages established by the commission shall not be greater than the rate of wages specified in section 7. [1915 A 191 s 11]

REGULATED OCCUPATIONS

PENALTIES

Violation of act.—Any person, or persons, company, or corporation, who violates the provisions of this act, or does not comply with the provisions of this act, shall, upon conviction in any court of competent jurisdiction, be punished by a fine of not less than $25 nor more than $100, and each day of noncompliance shall constitute a separate offense. [1915 A 191 s 12]

APPLICATION OF ACT.

Constitutionality of act; act not to apply to certain establishments.—Should any section, or sections of this act be held invalid by the courts, it shall not thereby be understood as affecting and shall not affect the other provisions of this act: *Provided*, That no part of this bill shall apply to any firm, corporation, or establishment of any character, where three or less females are employed and working at the same time: *Provided*, The provisions of this act shall not apply to the cotton factories, or in the preservation of fruits and perishable farm products, or gathering the same in Arkansas: *Provided*, This act shall not apply to establishments, working three or less employees in the same building at the same time doing the same class of work. [1915 A 191 s 13]

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ALL OCCUPATIONS

MINIMUM WAGE, HOURS AND CONDITIONS OF LABOR

Legislature may provide minimum wage, etc., for minors and women.—The legislature may, by appropriate legislation, provide for the establishment of a minimum wage for women and minors and may provide for the comfort, health, safety and general welfare of any and all employees. No provision of this constitution shall be construed as a limitation upon the authority of the legislature to confer upon any commission now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section. [Constitution article 20 section 17½]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

TOILETS AND SEATS FOR GIRLS

Separate toilets for the sexes.—Every factory, workshop, mercantile or other establishment, in which five or more persons are employed, shall be kept in a cleanly state and free from the effluvia arising from any drain, privy, or other nuisance, and shall be provided, within reasonable access, with a sufficient number of water-closets or privies for the use of the persons employed therein. Whenever the persons employed as

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aforesaid are of different sexes, a sufficient number of separate and distinct water-closets or privies shall be provided for the use of each sex, which shall be plainly so designated, and no person shall be allowed to use any water-closet or privy assigned to persons of the other sex. [1889 Chapter 5 section 1]

Seats to be provided and their use permitted.—Every person, firm, or corporation employing females in any manufacturing, mechanical, or mercantile establishment shall provide suitable seats for the use of the females so employed, and shall provide such seats to the number of at least one-third the number of females so employed; and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. [1889 C 5 s 5 as amended by 1903 C 12]

Penalty.—Any person or corporation violating any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment, for each offense. [1889 C 5 s 6 as amended by 1901 C 176]

Enforcement: duties of commissioner of labor statistics.—It shall be the duty of the commissioner of the bureau of labor statistics to enforce the provisions of this act. [1889 C 5 s 7]

NOTE.—[The above quoted chapter 5 of the Acts of 1889 is omitted from Deering's General Laws of 1909 because of having been declared unconstitutional in the case of Schaezlein *v.* Cabaniss, 135 Cal. 466. Inasmuch as the provisions of section 4 of this act were the only questions involved in this case, which was decided in 1901, and the act has since been amended by the legislature in 1901, 1903, and 1909, the above sections are quoted as still standing.]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND EMPLOYMENT CERTIFICATES AND RECORDS.

Employment under 12, and from 12 to 15 during school hours, prohibited; permits required from 12 to 15 on school holidays and during vacation and from 14 to 15 outside school hours.—No minor under the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any mercantile establishment, manufacturing establishment, mechanical establishment, workshop, office, laundry, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor at any time: *Provided however*, That on the regular weekly school holidays and during the regular vacation of public schools of the city, county, or city and county, in which the place of employment is situated, a minor under the age of fifteen years, but over the age of twelve years, may be employed if provided with a vacation permit as hereinafter provided: *And provided further*, That any minor fourteen years of age shall, upon application to the school authorities as in the case of an age and school certificate, and upon compliance with all the requirements for the issuance of an age and schooling certificate, be entitled to receive from the officers authorized to issue age and schooling certificates a permit to work outside of school hours. [Deering's General Laws 1909 Act 1611 as amended by 1915 C 625 s 1]

Court decisions.—The section of which this is an amendment was held constitutional.—Ex parte Spencer, 149 Cal. 396, 86 Pac. 896 (1906).

Employment in violation of a former section constitutes negligence per se.—Scally *v.* Garratt Co., 11 Cal. App. 152 (1909).

School authorities to issue permits to children from 14 to 15; educational and physical requirements except in cases of poverty.—The superintendent of schools of any city, or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor of the age of fourteen years, in any of the following circumstances:

(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or

(2) Where upon the sworn statement being made by the parent, or foster parent, or guardian, of such minor, that such minor is past the age of fourteen years, that the parent or parents, or foster parent or foster parents, or guardian, of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor, and that sufficient aid cannot be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or

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a competent person designated by him for this purpose has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner. [D G L 1909 A 1611 as amended by 1915 C 625 s 2]

Promise of employment required; records kept by employer; permits to be returned to child; revocation of permits; records of issuing office.—No permit as specified in section two of this act shall be issued except upon written evidence that suitable work is waiting for such minor, and such permit shall specify the kind of labor. Permits issued under subdivision two of said section two shall in no case be issued for a longer period than shall seem necessary, nor for longer than six months, at the end of which period such superintendent shall see that such minor returns to school, unless a new permit to labor is issued. Such permit shall be kept on file by the person, firm or corporation employing the minor therein designated, during the term of said employment, and shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such permit. Such permit shall be issued on forms in accordance with this act, which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California. Such permit shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to the inspection of the attendance and probation officers, or of the officers of the State bureau of labor statistics. A duplicate copy of each permit to work granted under the provisions of this act shall be kept by the person issuing such permit, such copy to be filed with the superintendent of schools of the city, or city and county, or county, as the case may be: *Provided*, That all copies of permits issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. Corresponding semi-annual reports of all such permits issued shall be made by such superintendents in such form as may be required by the commissioner of the bureau of labor statistics of the State of California. [D G L 1909 A 1611 as amended by 1915 C 625 s 3]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, railroads, etc.; section not to prohibit vocational training, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Adjusting any belt to any machinery, or sewing or lacing machine belts in any workshop or factory, or oiling, wiping or cleaning machinery or assisting therein, or operating or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood-turning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tinware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough breaks or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calender rolls in paper and rubber manufacturing; (x) laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or upon any railroad, whether steam, electric or hydraulic; or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State: *Provided however*, That the provisions of this section shall not apply to the courses of training in vocational or manual training schools or in State institutions. [D G L 1909 A 1611 as amended by 1915 c 625 s 4]

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Specific occupations prohibited under 16; dangerous processes, mines, bowling alleys, places where tobacco is manufactured, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coal breaker, coke oven, or quarry; (12) nor in assorting, manufacturiug or packing tobacco; (13) nor in operating any automobile, motor car or truck; (14) nor in a bowling alley; (15) nor in a pool or billiard room; (16) nor in any other occupation dangerous to the life or limb, or injurious to the health or morals of such child. [D G L 1909 A 1611 as amended by 1915 C 625 s 5].

Employment under 16 may be prohibited by bureau of labor statistics in other occupations; right of appeal.—The bureau of labor statistics may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the superior court from any such determination. [D G L 1909 A 1611 as amended by 1915 C 625 s 6]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 18; exceptions.—No minor under the age of eighteen years shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment or other place of labor, more than eight hours in one day or more than forty-eight hours in one week, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening. [D G L 1909 A 1611 as amended by 1915 C 625 s 7]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 18.—No person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before six o'clock in the morning, or after nine o'clock in the evening of any day. [D G L 1909 A 1611 as amended by 1915 C 625 s 8]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

VACATION CERTIFICATES

School authorities to issue permits; contents of permits; permit to be returned to child.—Vacation permits shall be signed by the principal, vice-principal of the school, or secretary of the board of school trustees or board of education of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the minor to whom it is

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issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued. [D G L 1909 A 1611 as amended by 1915 C 625 s 9]

AGE AND SCHOOL CERTIFICATES

Age and school certificates required from 15 to 16 for employment during school hours; school authorities to issue certificates; method of issuing and contents of certificates; age, school, and health records, and promise of employment required; blank certificates; records of issuing office; certificate to be returned to child; report to commissioner of bureau of labor statistics; penalty for false statements.—No minor of the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any of the places enumerated in section one during the hours the public schools are in session, unless such minor is provided with an age and schooling certificate as herein provided. An age and schooling certificate shall be approved only by the superintendent of schools of the city or city and county, or by a person authorized by him in writing, or where there is no city or city and county superintendent of schools, by a person authorized by the local school trustees: *Provided*, That the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificate herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this act, but no fees shall be charged for issuing such certificates. The person authorized to issue age and schooling certificates shall not issue such certificates until the minor in question, accompanied by its parent or guardian, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) The school record of such minor, giving age, grade and attendance for current term, duly signed by the principal or teacher. (2) A duly attested transcript of the birth certificate filed according to law with any officer charged with the duty of recording births; or a passport, or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such minor; or, in case the officer authorized to issue the certificate is satisfied that none of such proofs of age can be produced, other evidence of age can be produced, such as school enrollment record, or affidavit of the parent, guardian or custodian of such minor, such as shall convince such officer that the minor is fifteen years of age or upwards. (3) The written statement of the person, firm or corporation in whose service the minor is about to enter, that he intends to employ the minor, which statement shall give the nature of the occupation for which the child is to be employed. (4) A certificate signed by a physician appointed by the school board, or other public medical officer, stating that such minor has been examined by him and, in his opinion, has reached the normal development of a minor of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do: *Provided however*, That no fee shall be charged the minor for such physician's certificate. Age and schooling certificates shall be issued on forms which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California, and shall be substantially in the following form, to wit:

AGE AND SCHOOLING CERTIFICATE.

This certifies that I am the (father, mother or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county, if known), and State (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

Signature, as provided in this act.

City or town, and date.

There personally appeared before me the above named (name of person signing) and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) has completed the prescribed grammar school course or that (he or she) has com-

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pleted the equivalent of the seventh grade of the regular grammar school course and is a regular attendant for the then current term at a regularly conducted night school.

Signature of the person authorized to sign, with his official character and authority.

Town or city and date.

This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the service of the person, firm or corporation holding the same.

The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother, or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same. Every person authorized to sign the certificate prescribed by this act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment. A duplicate copy of each age and schooling certificate granted under the provisions of this act shall be kept by the person issuing such certificate, such copy to be filed with the county superintendent of schools in the county where the certificate is issued: *Provided*, That all such copies of certificates issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. The county superintendent of schools of each county shall file with the commissioner of the bureau of labor statistics, a report showing the number of age and schooling certificates issued to male and female minors and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section. [D G L 1909 A 1611 as amended by 1915 C 625 s 10]

EDUCATIONAL REQUIREMENTS

Compulsory school attendance for certain children under 16 unless actually employed; employer to notify issuing officer of termination of employment; enforcement.—No minor having an age and schooling certificate, as hereinbefore described, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks, but must enroll and attend school: *Provided*, That within one week after any minor having such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, giving the latest correct address of such minor known to such employer, notify the issuing officer that such minor is no longer employed by such employer; and such issuing officer shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor, that such minor is neither at work nor in school: *And provided further*, That no such minor shall be permitted to cease school attendance, without securing an age and schooling certificate as provided in this act. [D G L 1909 A 1611 as amended by 1915 C 625 s 11]

ALL OCCUPATIONS

HOURS OF LABOR, EMPLOYMENT CERTIFICATES, AND LISTS

Hours to be posted under 18; lists of minors under 18 and record of certificates for minors under 16 required; certificate to be returned to child; revocation of certificates.—Every person, firm, corporation or agent, or officer of a firm or corporation, employing minors under the age of eighteen years shall keep a register containing the names and addresses of such minor employees and shall post and keep posted in a conspicuous place, in every room where such minors are employed, a written or printed notice stating the hours per day for each day of the week required of such minors, and shall keep on file all permits and certificates required by this act for minors under the age of sixteen years. Such records and files shall be open at all times to the inspection of the school attendants and probation officers and the officers of the State bureau of labor statistics. All certificates and permits shall be given up to such minor upon his quitting such employment. Where such minor works for him-

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self and not for others, such minor shall keep in his possession such certificate. Such certificate shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such certificate, whenever such commissioner or the authority issuing such certificate shall find that conditions for the legal issuance of such certificate do not exist. [D G L 1909 A 1611 as amended by 1915 C 625 s 12]

REGULATED OCCUPATIONS

PENALTY

Violation by employer; evidence of illegal employment.—Any person, firm, corporation, agent or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or vacation permit to work or to post any notice required by this act shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate or permit to work is not produced, or whose name is not so posted. * * * [D G L 1909 A 1611 as amended by 1915 C 625 s 13]

AGRICULTURAL AND DOMESTIC LABOR AND THEATRICAL EXHIBITIONS

MINIMUM AGE, HOURS OF LABOR, AND EMPLOYMENT CERTIFICATES

Employment of minors in agricultural and domestic labor, etc., permitted outside of school hours and of minors 16 and over at any time; employment of minors, and night work from 15 to 18 permitted in public exhibitions with consent of commissioner of labor statistics; conditions of consent.—Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor, during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticultural shall be understood to include the curing and drying, but not the canning of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theatre, or other place of amusement, previous to the hour of ten o'clock p. m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p. m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p. m.: *Provided*, The written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama or dramatic play with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama or dramatic play is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama or dramatic play, and the commissioner may require the person charged with the issuance of age and schooling certificates to make the necessary investigation into such conditions; and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theatres or other places of amusement in which, such dramas or dramatic plays are to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and dramatic plays shall include the production of motion-picture plays: *Provided however*, That nothing herein contained shall be construed to permit the use of a minor in any occupation prohibited under section two hundred seventy-two of the Penal Code. [D G L 1909 A 1611 as amended by 1915 C 625 s 14]

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MANUFACTURING ESTABLISHMENTS

APPLICATION OF ACT

Work done outside of establishment.—Work shall be deemed to be done for a manufacturing establishment within the meaning of this act, whenever it is done at any place upon the work of a manufacturing establishment or upon any of the materials entering into the product of the manufacturing establishment, whether under contract or arrangement with any person in charge of or connected with such manufacturing establishment directly or indirectly, through the instrumentality of one or more contractors or other third persons. [D G L 1909 A 1611 as amended by 1915 C 625 s 15]

STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 10 and girls under 18 in selling newspapers, magazines, etc., or in bootblacking, etc., prohibited; penalty for parent, employer, etc.—No boy under ten years of age, nor girl under eighteen years of age, shall be employed, permitted or suffered to work at any time in or in connection with the street occupation of peddling, boot blacking, the sale or distribution of newspapers, magazines, periodicals or circulars nor in any other occupation pursued in any street or public place: *Provided however*, That nothing in this section shall be construed to apply to cities whose population is less than twenty-three thousand according to the last Federal census. Any person, firm, corporation, or agent, or officer of a firm or corporation, or any parent or guardian violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment. [D G L 1909 A 1611 s 16 as added by 1915 C 625]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of bureau of labor statistics, attendance officers, etc.; attendance officers to enforce compulsory school attendance law.—The bureau of labor statistics shall enforce the provisions of this act. The commissioner, his deputies and agents, shall have all the powers and authority of sheriffs or other peace officers, to make arrests for violation of the provisions of this act, and to serve any process or notice throughout the State. The attendance officer of any county, city and county, or school district in which any place of employment, in this act named, is situated, or the probation officer of such county, shall have the right and authority, at all times, to enter into any such place of employment for the purpose of investigating violations of the provisions of this act, or violations of the provisions of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, and any act amending or superseding the same: *Provided however*, That if such attendance or probation officer is denied entrance to such a place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this act, or the act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations. [D G L 1909 A 1611 s 17 as added by C 625]

PENALTY

Employment without legal authorization; minors.—All minors coming within the provisions of an act entitled, "An act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the commissioner of the bureau of labor statistics and providing penalties for the violation hereof," (approved February 20, 1905) [D G L 1909 A 1611] and found employed and at work without the necessary legal authorization as provided for and required in said act, and whose ages are between the maximum and minimum age limits as described in an act entitled, "An act to enforce the educational rights of children and

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providing penalties for violation of the act" [D G L 1909 A 3574] [approved March 24, 1903], shall be placed or delivered into the custody of the school district authorities of the county, city, or city and county in which they are found illegally at work. [D G L 1909 A 1611a s 1]

ENFORCEMENT

Powers of commissioner of labor statistics.—The commissioner of the bureau of labor statistics is hereby authorized, directed and empowered to enforce the provisions of this act. [D G L 1909 A 1611a s 2]

SALE OF DRUGS AND MEDICINES

HOURS OF LABOR

Employees forbidden to work more than 10 hours a day, 60 a week; exceptions.—As a measure for the protection of public health, no person employed by any person, firm or corporation, shall for more than an average of ten hours a day or sixty hours a week of six consecutive calendar days, perform the work of selling drugs or other medicines, or compounding physicians' prescriptions, in any store, establishment or place of business, where and in which drugs or medicines are sold, at retail, and where and in which physicians' prescriptions are compounded: *Provided*, That the answering of and attending to emergency calls shall not be construed as a violation of this act. [D G L 1909 A 2665 s 1]

Employers forbidden to require or permit more than 10 hours a day, 60 a week.—No person, firm or corporation employing another person to do work which consists wholly or in part of selling, at retail, drugs or medicines, or of compounding physicians' prescriptions, in any store, or establishment, or place of business where or in which medicines are sold and where and in which physicians' prescriptions are compounded shall require or permit said employed person to perform such work for more than an average of ten hours a day, or sixty hours a week of six consecutive calendar days. [D G L 1909 A 2665 s 2]

Penalty.—Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of misdemeanor and shall be punished therefor by a fine not less than twenty dollars nor more than fifty dollars or by imprisonment for not exceeding sixty days, or by both such fine and imprisonment, at the discretion of the court. [D G L 1909 A 2665 s 3]

Enforcement: duties and powers of commissioner of labor statistics.—The commissioners [sic] of the State bureau of labor statistics are hereby authorized, directed and empowered to enforce the provisions of this act. [D G L 1909 A 2665 s 4]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15; exemptions from 12 to 15 if permits to work have been received; other exemptions.—Unless excused, as hereinafter provided, each parent, guardian, or other person, in the State of California, having control or charge of any child between the ages of eight and fifteen years, shall be required to send such child to a public school, during the time in which a public school shall be in session, in the city or city and county or school district in which said child resides: *Provided*, That should it be shown to the satisfaction of the board of education of the city or city and county, or of the board of trustees of the school district, in which such child resides, that the child's bodily or mental condition is such as to prevent or render inadvisable attendance at school or application to study, a certificate from any reputable physician that the child is not able to attend school, or that its attendance is inadvisable, must be taken as satisfactory evidence by any such board, or that such child is being taught in a private school, or by a private tutor, or at home by any person capable of teaching, in such branches as are usually taught in the primary and grammar schools of this State; or that any such child between the age of twelve and fifteen has been given a permit to work by the proper * * * officers in accordance with section two [s 1-3] of "An act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the commissioner of the bureau of labor statistics and providing penalties for the violation hereof," approved February 20, 1905 [D G L 1909 A 1611 as amended by

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1915 C 625]; or that no public school is located within two miles, by the nearest traveled road, of the residence of the child; or that the child has completed the prescribed grammar school course; then it shall be the duty of such board of education or board of trustees, upon application of the parent, or guardian, or other person having control or charge of such child, to excuse such child from attendance at school, during the continuance of such defect or condition upon which such excuse is granted: *And provided further*, That circumstances rendering attendance impracticable or dangerous to health, owing to unusual storm or other sufficient cause, shall work an exemption from the penalties of this act. * * * [D G L 1909 A 3574 s 1 as amended by 1911 C 482]

NOTE.—[The act amending the child labor law, approved June 5, 1915 and in effect August 8, 1915, prohibits the employment of children from 12 to 14 except on school holidays and during vacation, and permits employment of children from 14 to 15 outside school hours and at any time upon completion of prescribed grammar-school course or on account of poverty. This act also requires age and school certificates for children from 15 to 16 for employment during school hours.]

Penalty.—Any parent, guardian, or other person having control or charge of any such child, who shall fail to comply with the provisions of this act, shall, unless excused or exempted therefrom as hereinbefore provided, be deemed guilty of a misdemeanor, and upon conviction, shall be liable for the first offense, to a fine of not more than ten dollars or to imprisonment for not more than five days, and for each subsequent offense he shall be liable to a fine of not less than ten nor more than fifty dollars, or to imprisonment for not less than five days nor more than twenty-five days, or to both such fine and imprisonment. [D G L 1909 A 3574 s 2]

Enforcement: duties of boards of education, attendance officers, etc.—The board of education of any city or city and county, or the board of trustees of any school district, shall, on the complaint of any person, make full and impartial investigation of all charges against parents or guardians or other persons having control or charge of any such child, for violation of any of the provisions of this act. If it shall appear upon such investigation that any such parent or guardian or other person has violated any of the provisions of this act, it is hereby made the duty of the secretary of such board of education, except as hereinafter provided, or the clerk of such board of trustees, to make and file in the proper court a criminal complaint against such parent, guardian or other person, charging such violation, and to see that such charge is prosecuted by the proper authorities: *Provided*, That in cities, and in cities and counties, and in school districts having an attendance officer or officers, such officer or officers shall, under the direction of the board of education, or the city superintendent of schools, or the board of trustees, make and file such complaint, and see that such charge is prosecuted by the proper authorities. [D G L 1909 A 3574 s 3]

Enforcement: appointment of attendance officers.—The board of education of any city, or city and county, may appoint and remove at pleasure an attendance officer, and assistant attendance officers of such city, or city and county, or the board of school trustees of any school district having an average daily attendance of at least three hundred children, according to the official school record of the preceding school year, may appoint and remove at pleasure one attendance officer, and assistant attendance officers, and shall fix his or their compensation payable from the county or special school fund of such city, or city and county, or school district, and shall prescribe their duties, not inconsistent with law, and make rules and regulations for the performance thereof: *Provided*, That not more than one attendance officer or assistant attendance officer shall be appointed for each seven thousand five hundred average daily attendance, according to the official school record of the preceding school term, or additional fraction thereof, greater than three thousand five hundred, in any city, or city and county, or school district in which such attendance officer and assistant attendance officers are appointed to serve. The authority appointing such attendance officer and assistant attendance officers in such city, city and county, or school district may also appoint and remove at pleasure one or more deputy attendance officers, to serve without compensation. The board of supervisors of any county, unless provision be made otherwise by statute for paid attendance officers, upon the petition of a majority of the boards of trustees of the school districts of the county which are not provided with paid school attendance officers, shall, upon the nomination of the county superintendent of schools, appoint and remove at pleasure an attendance officer and assistant attendance officers, and shall fix his or their compensation payable from the general fund of the county, and shall, upon the recommendation of the county superintendent of schools, prescribe their duties not inconsistent with law, and make rnles and regulations for the performance thereof: *Provided*, That not more than one attendance officer shall be appointed for each seven thonsand five hundred average daily attendance in the portion of the

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county in which such officers shall be appointed to serve, according to the official school record of the preceding school term, or additional fraction thereof, greater than three thousand five hundred; such officers shall serve in such portions of the county as are not otherwise provided with paid attendance officers. The board of supervisors, upon the recommendation of the county superintendent of schools, may, in its discretion, appoint and remove at pleasure one or more persons to act as deputy attendance officer or officers, to serve without compensation. The actual, necessary, incidental traveling expenses of such attendance officer, and assistant attendance officers, and deputy attendance officers of such county, incurred in the performance of their duties under the direction of the county superintendent of schools, when sworn to and when approved by such superintendent, may be ordered paid by such board of supervisors, out of the general fund of the county. [D G L 1909 A 3574 s 4 as amended by 1915 C 461]

ALL OCCUPATIONS

HOURS OF LABOR

One day of rest in seven; exception.—Every person employed in any occupation of labor shall be entitled to one day's rest therefrom in seven; and it shall be unlawful for any employer of labor to cause his employees, or any of them, to work more than six days in seven: *Provided however*, That the provisions of this section shall not apply to any case of emergency. [D G L 1909 A 3952 s 1]

Definition.—For the purposes of this act, the term day's rest shall mean and apply to all cases, whether the employee is engaged by the day, week, month, or year, and whether the work performed is done in the day or night time. [D G L 1909 A 3952 s 2]

Penalty.—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor. [D G L 1909 A 3952 s 3]

PENALTY

Misdemeanor.—Except in cases where a different punishment is prescribed by this Code, every offense declared to be a misdemeanor is punishable by imprisonment in a county jail not exceeding six months or by a fine not exceeding five hundred dollars, or by both. [Deering's Penal Code 1909 section 19]

WAGES

Minors entitled to wages unless claimed by parent.—The wages of a minor employed in service may be paid to him, until the parent or guardian entitled thereto gives the employer notice that he claims such wages. [Deering's Civil Code 1909 section 212]

SAWMILLS, LOGGING CAMPS, ETC.

HOURS OF LABOR

One hour for midday meal required.—Every person, corporation, copartnership, or company operating a sawmill, shake mill, shingle mill, or logging camp, in the State of California, shall allow to his or its employees, workmen, and laborers a period of not less than one hour at noon for the midday meal. [D Civ C 1909 Appendix p 827 s 1]

Penalty.—Any person, corporation, copartnership, or company, his or its agents, servants, or managers, violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than two hundred dollars nor less than one hundred dollars for each violation of the provisions of this act. [D Civ C 1909 App p 827 s 2]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in singing, dancing, rope walking, acrobatic performances, etc., prohibited; penalty for parent, employer, etc.; exceptions.—Any person, whether as parent, relative, guardian, employer, or otherwise, having the care, custody,

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or control of any child under the age of sixteen years, who exhibits, uses, or employs, or in any manner, or under any pretense, sells, apprentices, gives away, lets out, or disposes of any such child to any person, under any name, title, or pretense, for or in any business, exhibition, or vocation, injurious to the health or dangerous to the life or limb of such child, or in or for the vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, acrobat, contortionist, or rider, in any place whatsoever, or for or in any obscene, indecent or immoral purposes, exhibition, or practice whatsoever, or for or in any mendicant or wandering business whatsoever, or who causes, procures, or encourages such child to engage therein, is guilty of a misdemeanor, and punishable by a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment. Nothing in this section contained applies to or affects the employment or use of any such child, as a singer or musician in any church, school, or academy, or the teaching or learning of the science or practice of music; or the employment of any child as a musician at any concert or other musical entertainment, on the written consent of the mayor of the city or president of the board of trustees of the city or town where such concert or entertainment takes place. [D Pen C 1909 s 272]

Court decision.—This section was held constitutional.—Ex parte Weber, 149 Cal. 392, 86 Pac. 809 (1906).
Opinion.—The provisions of Deering's General Laws, 1909, Act 3574, section 1, as amended by chapter 482 of the Acts of 1911, and the provisions under a former section—Deering's General Laws, 1909, Act 1611, as amended by section 3, chapter 214 of the Acts of 1913—do not apply to a nonresident child temporarily within the State, and such child is entitled to engage in any employment with a theatrical company which is not expressly prohibited by the terms of the above section.—Attorney General (1912).

Employment under 16 in singing, dancing, rope walking, acrobatic performances, etc., prohibited; penalty for employer, etc.—Every person who takes, receives, hires, employs, uses, exhibits, or has in custody, any child under the age, and for any of the purposes mentioned in the preceding section, is guilty of a like offense, and punishable by a like punishment as therein provided. [D Pen C 1909 s 273]

MESSENGERS

MIMIMUM AGE

Sending minors to immoral places prohibited; misdemeanor for company or person.—Every telephone, special-delivery company or association, and every other corporation or person engaged in the delivery of packages, letters, notes, messages, or other matter, and every manager, superintendent, or other agent of such person, corporation, or association, who sends any minor in the employ or under the control of any such person, corporation, association, or agent, to the keeper of any house of prostitution, variety theater, or other place of questionable repute, or to any person connected with, or any inmate of, such house, theater, or other place, or who permits such minor to enter such house, theater, or other place, is guilty of a misdemeanor.[1] [D Pen C 1909 s 273e]

Sending minors under 18 to saloons, immoral places, etc., prohibited; misdemeanor for parent, employer, etc.—Any person, whether as parent, guardian, employer, or otherwise, and any firm or corporation, who as employer or otherwise, shall send, direct, or cause to be sent or directed to any saloon,[1] gambling house, house of prostitution, or other immoral place, any minor under the age of eighteen, is guilty of a misdemeanor.[2] [D Pen C 1909 s 273f]

ALL OCCUPATIONS

HOURS OF LABOR

Eight hours a day for minor wards and apprentices; exceptions.—Every person having a minor child under his control, either as a ward or an apprentice, who, except in vinicultural or horticultural pursuits, or in domestic or household occupations, requires such child to labor more than eight hours in any one day, is guilty of a misdemeanor.[1] [D Pen C 1909 s 651]

[1] Proprietor of saloon, etc., is prohibited by D Pen C 1909 s 397b from permitting minor under 18 to visit such place, but section does not apply to parents of such children or to guardians of their wards.
[2] For penalty for misdemeanor see page 13. (Deering's Penal Code, 1909, section 19).

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STREET RAILWAYS

HOURS OF LABOR

Twelve hours a day's work for certain employees; pay for overtime.—Twelve hours' labor constitutes a day's work on the part of drivers, and conductors, and gripmen of street cars for the carriage of passengers. Any contract for a greater number of hours' labor in one day shall be and is void, at the option of the employee, without regard to the terms of employment, whether the same be by the hour, day, week, month, or any other period of time, or by or according to the trip or trips that the car may, might, or can make between the termini of the route, or any less distance thereof. Any and every person laboring over twelve hours in one day as driver, or conductor, or gripman, on any street railroad, shall receive from his employer thirty cents for each hour's labor over twelve hours in each day. [Deering's Political Code 1909 section 3246]

Suits to recover wages including pay for overtime.—In actions to recover the value or price of labor under section three thousand two hundred and forty-six [3246] of this Code, the plaintiff may include in one action his claim for the number of days, and the number of hours' work over twelve hours in each day, performed by him for the defendant, and the court shall exclude all evidence of agreement to labor over twelve hours in one day for a less price than thirty cents, and the court shall exclude any receipt of payment for hours of labor over twelve hours in one day, unless it be established that at least thirty cents for each hour of labor over twelve hours in one day has been actually paid, and a partial payment shall not be deemed or considered a payment in full. [D Pol C 1909 s 3247]

Application of section 3247.—The provisions of sections three thousand two hundred and forty-seven [3247] * * * of this Code are applicable to every contract to labor made by the persons named in section three thousand two hundred and forty-six [3246]. [D Pol C 1909 s 3249]

Penalty.—No person shall be employed as conductor, or driver, or gripman, on any street railroad, for more than twelve hours in one day, except as in this act provided, and any corporation, or company, or owner, or agent, or superintendent, who knowingly employs any person in such capacity for more than twelve hours in one day, in violation of the terms of this act, shall forfeit the sum of fifty dollars as a penalty for such offense, to the use of the person prosecuting any action therefor, and any number of forfeits may be prosecuted in one action. [D Pol C 1909 s 3250]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR AND SEATS FOR GIRLS

Eight hours a day, 48 a week; harvesting, canning, etc., fruit or vegetables excepted; other exceptions.—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in this State more than eight hours during any one day or more than forty-eight hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week: *Provided however*, That the provisions of this section in relation to hours of employment shall not apply to nor affect the harvesting, curing, canning or drying of any variety of perishable fruit or vegetable, nor to graduate nurses in hospitals. [1911 C 258 as amended by 1913 C 352 s 1]

Court decisions.—This section was held constitutional; exemption of canning industries, etc., held not discriminating.—Miller *v.* Wilson, 162 Cal. 687; 236 U. S. 373 (1915). Forbidding women student nurses in a hospital school to work for longer than certain hours under this section, was held constitutional.—Bosley *v.* McLaughlin, 236 U. S. 385 (1915).

Opinions.—The statute does not apply to stenographers and clerks working in offices, except such as are working in telegraph or telephone offices, express or transportation companies, or in manufacturing, mechanical, or mercantile establishments, laundries, hotels, or restaurants.—Attorney General (1912).

Labelers, tally clerks, and packers in canning establishments, have nothing to do with the handling of the perishable fruits and vegetables, before they have become preserved by the various measures used in curing, canning or drying thereof. These employees come within the purview of the act, but not within the purview of the exception. Women employed in handling of perishable goods, other than perishable fruits or vegetables, are within the purview of the act, but not within the purview of the exception.—Attorney General (1911).

The fact that a woman is a stockholder or director of a corporation does not relieve the corporation from the provisions of this section. If she is employed by the corporation and paid a salary or wages by it, the corporation then comes within the provisions of the statute, and all of its restrictions become applicable to such employment.—Attorney General (1912).

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Seats to be provided and their use permitted.—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment. [1911 C 258 as amended by 1913 C 352 s 2]

Enforcement: powers of commissioner of labor statistics.—The bureau of labor statistics shall enforce the provisions of this act. The commissioner, his deputies and agents, shall have all powers and authority of sheriffs or other peace officers, to make arrests for violations of the provisions of this act, and to serve all processes and notices thereunder throughout the State. [1911 C 258 as amended by 1913 C 352 s 3]

Penalty.—Any employer who shall permit or require any female to work in any of the places mentioned in section one more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to so arrange the work of females in his employ so [sic] that they shall not work more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to provide suitable seats as provided in section two of this act, or who shall permit or suffer any overseer, superintendent, foreman, or other agent of any such employer to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for a first offense, by a fine of not less than twenty-five dollars nor more than fifty dollars; for a second offense, by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars; or by imprisonment for not more than sixty days, or by both such fine and imprisonment. * * * [1911 C 258 as amended by 1913 C 352 s 4]

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; 9 or 13 hours a day for certain telegraph and telephone operators; application of act; exceptions.—It shall hereafter be unlawful for any corporation or receiver operating any line of steam, electric railroad, or other railway, in whole or in part, in this State, or any officer, agent or representative of such corporation to require or knowingly permit any conductor, motorman, engineer, fireman, brakeman, train dispatcher, or telegraph operator to be or remain on duty for a longer period than sixteen consecutive hours. And whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four hours, in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places and stations operated only during the daytime, except in case of emergency; when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four hour period or [on] not exceeding three days in any week: *Provided*, That the provisions of this act shall not apply in any case of casualty or unavoidable accident, or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *And provided further*, That the provisions of this act shall not apply to the crews of wrecking or relief trains. [1911 C 484 s 1 as amended by 1913 C 226]

Penalty for railroad company.—Any corporation or receiver operating a line of railroad in whole or in part within this State, who shall violate any of the provisions of this act shall be liable to the State of California in a penalty of not less than two hundred dollars nor more than one thousand dollars for each offense, and such penalties shall be recovered and suit therefor shall be brought in the name of the State of California in any court having jurisdiction of the amount in any county into or through which said railroad may pass. Such suit or suits may be brought either by the attorney general of the State or under his direction by the district attorney of any county or

[1] See court decision on page 7 (New York).

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city and county in the State of California into or through which said railroad may pass. [1911 C 484 s 3]

Penalty for railroad officials.—Any officer, agent or representative of any corporation or receiver operating any line of railroad in whole or in part within this State, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for each offense, or by confinement in the county jail for not less than ten nor more than sixty days, or by both fine and imprisonment, and such person so offending may be prosecuted under this section, either in the county where such person may be at the time of commission of the offense, or in any county where such employee has been permitted or required to work in violation of this act. [1911 C 484 s 4]

NOTE.—[Sections 2 and 5 of chapter 484 of the Acts of 1911 have been omitted as they are apparently covered by section 1 of the same chapter amended by chapter 226 of the Acts of 1913.] [1911 C 484 s 2, 5]

SELLING GOODS OR ENGAGING IN BUSINESS

HOURS OF LABOR

Night work prohibited under 18.—It shall be unlawful for any minor under the age of eighteen years to vend and sell goods, engage in, or conduct any business between the hours of ten o'clock in the evening and five o'clock in the morning. [1911 C 688 s 1]

Penalty.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than twenty dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment for each offense. [1911 C 688 s 2]

MINES AND SMELTERS

HOURS OF LABOR

Eight hours a day; exceptions.—The period of employment for all persons who are employed or engaged in work in underground mines in search of minerals, whether base or precious, or who are engaged in such underground mines for other purposes, or who are employed or engaged in any other underground workings whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or who are employed in smelters and other institutions for the reduction or refining of ores or metals, shall not exceed eight hours within any twenty-four hours, and the hours of employment in such employment or work day shall be consecutive, excluding, however, any intermission of time for lunch or meals: *Provided*, That, in case of emergency where life or property is in imminent danger, the period may be a longer time during the continuance of the exigency or emergency. [1913 C 186 s 1]

Penalty.—Any person who shall violate any provision of this act, and any person who as foreman, manager, director or officer of a corporation, or as the employer or superior officer of any person, shall command, persuade or allow any person to violate any provision of this act, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00), or by imprisonment of not more than three months. And the court shall have discretion to impose both fine and imprisonment as herein provided. [1913 C 186 s 2]

Court decision.—A former act on the above subject was held constitutional: the provision that the hours of labor shall be consecutive was held to be a matter of legislative policy, not reviewable by the courts.—Ex parte Martin, 106 Pac. 235 (1909).

IMMORAL AND ILLEGAL OCCUPATIONS

MINIMUM AGE AND ENFORCEMENT

Employment agencies forbidden to send boys under 21 or girls of any age to immoral places, or minors under 18 to saloons, etc., or to accept applications of children.—No licensed person conducting an employment agency shall send or cause to be sent any woman or minor under the age of twenty-one years as an employee to any house of ill fame or to any house or place of amusement for immoral purposes or to places resorted to for the purpose of prostitution, or gambling houses, the character of which such licensed person could have ascertained upon reasonable inquiry. No licensed person

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shall send any minor under the age of eighteen years to any saloon or place where intoxicating liquors are sold to be consumed on the premises. No licensed person shall knowingly permit any persons of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agencies. No licensed person shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of the child labor law. * * * [1913 C 282 s 14 as amended by 1915 C 551]

Penalty.—Any person, firm, corporation or their agents or representatives violating or omitting to comply with any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars or more than two hundred and fifty dollars or by imprisonment for a period of not more than sixty days or by both such fine and imprisonment. [1913 C 282 s 18]

Powers of commissioner of labor.—The commissioner of labor, his deputies and agents shall have the power and authority of sheriffs and other peace officers to make arrests for violations of the provisions of this act and to serve any process or notice throughout the State. [1913 C 282 s 19]

IMMIGRANTS

ENFORCEMENT OF COMPULSORY SCHOOL ATTENDANCE AND CHILD LABOR LAWS

Compulsory school attendance laws.—The commission [of immigration and housing] * * * shall procure from, or with the consent of, the Federal authorities, complete lists giving the names, ages and destination within the State of all immigrant children of school age, and such other facts as will tend to identify them, and shall forthwith deliver copies of such lists to the superintendent of public instruction or the several boards of education and school boards in the respective localities within the State to which said children shall be destined, to aid in the enforcement of the provisions of the education law relative to the compulsory attendance at school of children of school age. * * * [1913 C 318 s 6]

Child labor laws, etc.—With the further object in view of bringing to the immigrant the best protection the State can afford, it shall be the duty of the commission to call to the attention of the proper authorities any violations it may discover of * * * the child labor laws, the employment of women, factory inspection laws, weekly day of rest laws * * *. [1913 C 318 s 8]

Powers of commission of immigration and housing.—The commission shall have the right to demand of all officials, State, county and municipal, and it shall be the duty of said officials to supply, such information and references to records as will enable the commission to carry into effect the provisions and intent of this act; and shall have the right to enter upon private property to make investigation for the purposes of carrying out the provisions of this act. For the purpose of carrying out fully the intent and spirit of this act, the said commission shall have full power and authority to gather any and all such evidence as it may deem proper and necessary in order to present the same to the proper authorities for the purpose of instituting prosecutions against any and all persons, firms or corporations found violating any of the laws of any municipality, county or of the State or of the Federal Government, concerning any of the matters in this act referred to. [1913 C 318 s 9]

ALL OCCUPATIONS

MINIMUM WAGE, HOURS AND CONDITIONS OF LABOR

Industrial welfare commission established; organization.—There is hereby established a commission to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of five persons, at least one of whom shall be a woman, and all of whom shall be appointed by the governor as follows: Two for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years: *Provided however*, That at the expiration of their respective terms, their successors shall be appointed to serve a full term of four years. Any vacancies shall be similarly filled for the unexpired portion of the term in which the vacancy shall occur. Three members of the commission shall constitute a quorum. A vacancy on the commission shall not impair the right of the remaining members to perform all the duties and exercise all the powers and authority of the commission. [1913 C 324 s 1]

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Compensation; secretary and other assistants; expenses.—The members of said commission shall draw no salaries but all of said members shall be allowed ten dollars per diem while engaged in the performance of their official duties. The commission may employ a secretary, and such expert, clerical and other assistants as may be necessary to carry out the purposes of this act, and shall fix the compensation of such employees, and may, also, to carry out such purposes, incur reasonable and necessary office and other expenses, including the necessary traveling expenses of the members of the commission, of its secretary, of its experts, and of its clerks and other assistants and employees. All employees of the commission shall hold office at the pleasure of the commission. [1913 C 324 s 2]

Commission to investigate wages, conditions of labor, and welfare of women and minors; duties of employers; minor defined as child under 18.—(a) It shall be the duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this State:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this act, such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this act, or to make inspection of, or excerpts from, all books, reports, contracts, pay rolls, documents, or papers, of such person, firm or corporation relating to the employment of labor and payment therefor by such person, firm or corporation.

3. To keep a register of the names, ages, and residence addresses of all women and minors employed.

(c) For the purposes of this act, a minor is defined to be a person of either sex under the age of eighteen years. [1913 C 324 s 3]

Public hearings; power to subpoena witnesses, compel testimony, and make independent rules of testimony.—The commission may specify times to hold public hearings, at which times, employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fees and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and proper rules of practice and procedure and shall not be bound by the technical rules of evidence. [1913 C 324 s 4]

Method of establishing wage board; report of board on estimated minimum wage, standard hours and conditions of labor.—If, after investigation, the commission is of the opinion that, in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the commission may call a conference, hereinafter called "wage board," composed of an equal number of representatives of employers and employees in the occupation, trade, or industry in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of the members and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the

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commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.

3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors. [1913 C 324 s 5]

Commission empowered to fix minimum wage, maximum hours and standard conditions of labor; public notice of hearings; publication and posting of orders.—(a) The commission shall have further power after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this State, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this State: *Provided*, That the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this State.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and by mailing a copy of said notice to the county recorder of each county in the State, of such hearing and purpose thereof, which notice shall state the time and place fixed for such hearing, which shall not be earlier than fourteen days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making of such order, specifying the minimum wage for women or minors in the occupation in question, the maximum hours: *Provided*, That the hours specified shall not be more than the maximum for women or minors in California, and [specifying] the standard conditions of labor for said women or minors: *Provided however*, That no such order shall become effective until after April 1, 1914. Such order shall be published in at least one newspaper in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and a copy thereof be mailed to the county recorder of each county in the State, and such copy shall be recorded without charge, and to the labor commissioner who shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed. Failure to mail notice to the employer shall not relieve the employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to county recorders shall be conclusive as to service. [1913 C 324 s 6]

Reconsideration of decisions.—Whenever wages, or hours, or conditions of labor have been so made mandatory in any occupation, trade, or industry, the commission may at any time in its discretion, upon its own motion or upon petition of either employers or employees, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter or amend any prior order. Any order rescinding a prior order shall have the same effect as herein provided for in an original order. [1913 C 324 s 7]

Special individual minimum wage may be granted woman physically defective or to an apprentice or learner; powers of commission to regulate hours for such women and for apprentices under 18.—(a) For any occupation in which a minimum wage has been established, the commission may issue to a woman physically defective by age or otherwise, a special license authorizing the employment of such licensee, for a period of six months, for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person. Any such license may be renewed for like periods of six months.

(b) For any occupation in which a minimum wage has been established, the commission may issue to an apprentice or learner, a special license authorizing the employment of such apprentice or learner, for such time and under such conditions as

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the commission may determine at a wage less than such legal minimum wage; and the commission shall fix a special wage for such apprentice or learner.

(c) The commission may fix the maximum number of women, and minors under eighteen years of age, to be employed under the licenses provided for in subdivisions (a) and (b) of this section in any occupation, trade, industry or establishment in which a minimum wage has been established. [1913 C 324 s 8 as amended by 1915 C 571]

Labor commissioner to gather statistics, etc.—Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered, and investigations made, as the commission may require. The cost thereof shall be paid out of the appropriations made for the expenses of the commission. [1913 C 324 s 9]

Testimony of employee not to cause discharge or discrimination.—Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this act, shall be deemed guilty of a misdemeanor. [1913 C 324 s 10]

Penalty for paying less than minimum wage established and for violation of act.—The minimum wage for women and minors fixed by said commission as in this act provided, shall be the minimum wage to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person who, either individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment; and every employer or other person who, either individually or as an officer, agent or employee of a corporation, or other persons, violates or refuses or neglects to comply with the provisions of this act, or any orders or rulings of this commission, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment. [1913 C 324 s 11 as amended by 1915 C 571]

Method of securing review and grounds upon which superior court may set aside decisions of commission.—In every prosecution for violation of any provision of this act, the minimum wage, the maximum hours of work and the standard conditions of labor fixed by the commission as herein provided, shall be prima facie presumed to be reasonable and lawful, and to be the living wage, the maximum hours of work and standard conditions of labor required herein. The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive; and the determination made by the commission shall be subject to review only in a manner and upon the grounds following: Within twenty days from the date of the determination, any party aggrieved thereby may commence in the superior court in and for the city and county of San Francisco, or in and for the counties of Los Angeles or Sacramento, an action against the commission for review of such determination. In such action a complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. Service upon the secretary of the commission, or any member of the commission, shall be deemed a complete service. The commission shall serve its answer within twenty days after the service of the complaint. With its answer, the commission shall make a return to the court of all documents and papers on file in the matter, and of all testimony and evidence which may have been taken before it, and of its findings and the determination. The action may thereupon be brought on for hearing before the court upon such record by either party on ten days' notice of [to] the other. Upon such hearing, the court may confirm or set aside such determination; but the same shall be set aside only upon the following grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the determination was procured by fraud.

Upon the setting aside of any determination the court may recommit the controversy and remand the record in the case to the commission for further proceedings. The commission, or any party aggrieved, by a decree entered upon the review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said superior court. [1913 C 324 s 12 as amended by 1915 C 571]

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Right to recover balance when paid less than minimum wage.—Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage. [1913 C 324 s 13]

Complaint for payment of less than living wage.—Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage. [1913 C 324 s 14]

Biennial reports.—The commission shall biennially make a report to the governor and the State legislature of its investigations and proceedings. [1913 C 324 s 15]

Arbitration in strikes by commission forbidden.—The commission shall not act as a board of arbitration during a strike or lock-out. [1913 C 324 s 17]

Liberal construction of act by court; constitutionality.—(a) Whenever this act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court. (b) If any section, subsection, or subdivision of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional. [1913 C 324 s 18]

Application of act.—The provisions of this act shall apply to and include women and minors employed in any occupation, trade or industry, and whose compensation for labor is measured by time, piece or otherwise. [1913 C 324 s 19]

ALL REGULATED OCCUPATIONS

ENFORCEMENT.

Powers of commissioner of the bureau of labor statistics in enforcing labor laws.—The commissioner of the bureau of labor statistics shall have authority and power to enforce any and all labor laws of the State of California, the enforcement of which is not specifically vested in any other officer, board or commission, and the deputies and agents of the said labor commissioner shall have the power and authority of sheriffs and other peace officers to make arrests, and to serve any process or notice throughout the State in the enforcement of such labor laws, pursuant to the instructions of said commissioner. [1915 C 484 s 1]

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MINES, ETC.

HOURS OF LABOR

General assembly to provide for 8 hours a day in mines and smelters; exceptions.—The general assembly shall provide by law, and shall prescribe suitable penalties for the violation thereof, for a period of employment not to exceed eight (8) hours within any twenty-four (24) hours (except in cases of emergency where life or property is in imminent danger), for persons employed in underground mines or other underground workings, blast furnaces, smelters and any ore reduction works or other branch of industry or labor that the general assembly may consider injurious or dangerous to health, life or limb. [Constitution article 5 section 25a]

MINIMUM AGE

General assembly to prohibit employment under 12 in mines.—The general assembly * * * shall prohibit the employment in the mines of children under twelve years of age. [Con art 16 s 2]

NOTE.—[The statutory age limit is 16. See Mills' Annotated Statutes, revised edition, 1912, section 659.]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of deputy labor commissioner.—The deputy [labor] commissioner [of the bureau of labor statistics [1]] shall have power to send for persons whenever in his opinion it is necessary and he may examine witnesses under oath, being hereby authorized to administer the same in the performance of his duty, and the testimony

[1] The secretary of state is designated ex officio commissioner of this bureau.

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so taken must be filed and preserved in the office of said deputy commissioner. It shall also be the duty of the deputy labor commissioner to cause to be enforced all laws regulating the employment of children, minors and women; all laws established for the protection of the health, lives and limbs of all operators in factories, mills, mines, workshops, offices, bakeries, laundries, stores, hotels, railroads, or any public or private works where labor is employed or machinery used; and all laws enacted for the protection of wage workers. [Mills' Annotated Statutes revised edition 1912 section 537]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL AND EVENING SCHOOL ATTENDANCE

Children from 8 to 16; exemptions from 14 to 16 on account of poverty or upon completion of 8 grades; other exemptions; method of securing exemption.—In all school districts of this State, all parents, guardians and other persons having care of children shall instruct them, or cause them to be instructed, in reading, writing, spelling, English grammar, geography and arithmetic. In such districts, every parent, guardian or other person having charge of any child between the ages of eight (8) and sixteen (16) years, shall send such child to a public, private or parochial school for the entire school year during which the public schools are in session in such districts: *Provided however*, That this act [s 639–650] shall not apply to children over fourteen (14) years of age where such child shall have completed the eighth grade, or may be eligible to enter any high school in such district, or where its help is necessary for its own or its parents' support, or where for good cause shown it would be for the best interests of such child to be relieved from the provisions of this act: *Provided further*, That if such child is being sufficiently instructed at home by a person qualified, such child shall not be subject to the provisions of this act: *And provided further*, That if a reputable physician within the district shall certify in writing that the child's bodily or mental condition does not permit its attendance at school, such child shall be exempt during such period of disability from the requirements of this act. It shall be the duty of the superintendent of the school district, if there be such superintendent, and, if not, then the county superintendent of schools, to hear and determine all applications of children desiring for any of the causes mentioned herein to be exempted from the provisions of this act, and if upon such application such superintendent hearing the same shall be of the opinion that such child is for any reason entitled to be exempted as aforesaid, then such superintendent shall issue a written permit to such child, stating therein his reasons for such exemption. An appeal may be taken from the decision of such superintendent so passing upon such application to the county court of the county in which such district lies, upon such child making such application and filing the same with the clerk or judge of said court within ten days after its refusal by such superintendent, for which no fee to exceed the sum of one dollar shall be charged, and the decision of the county court shall be final. An application for release from the provisions of this act shall not be renewed oftener than once in three months. [M A S r e 1912 s 639]

Employment under 14 during school hours prohibited; exceptions; penalty.—No child under the age of 14 years shall be employed by any person, persons, company, or corporation during the school term and while the public schools are in session, unless the parent, guardian or person in charge of such child shall have fully complied with section one [639] of this act [s 639–650]. Every such employer shall require proof of such compliance, and shall make and keep a written record of the proof given, which shall be subject to the inspection of the truant officer, superintendent of schools, or any school director of the district. Any employer employing any child contrary to the provisions of this section shall be fined not less than twenty-five nor more than one hundred dollars. [M A S r e 1912 s 640]

NOTE.—[The above section was originally section 2 of chapter 136 of the Acts of 1899, section 1 of which (now M A S r e 1912 s 639) required school attendance during only part of the school year. While section 2 was not specifically repealed, it would appear to be nullified by implication, except perhaps as to the penalty for employer for employing child during school hours, by chapter 164 of the Acts of 1903, which amended section 1 to require attendance during the entire school year.]

Illiterate minors from 14 to 16 if not attending day school; responsibility of employer; penalty.—All minors over the age of 14 years and under the age of 16 years who can not read and write the English language, shall attend school at least one-half day of each day, or attend a public night school, or take regular private instruction from some person qualified, in the opinion of the county superintendent of schools, in which such district or the greater portion of the same lies, until such minor obtains

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a certificate from such superintendent that he or she can read at sight and write legibly, simple sentences in English. Every employer employing or having in employment any such minor shall exact as a condition of employment the school attendance or instruction required by this section, and shall on request of the truant officer, furnish the evidence that such minor is complying with the requirements of this section. Every employer failing to comply with the requirements of this section as to any minor employed by him or in his employ, shall be fined not less than twenty-five dollars, and not more than one hundred dollars: *Provided*, That any employer with the approval or consent of the county superintendent of schools may make provision for the private instruction of minors in his employ. [M A S r e 1912 s 641]

NOTE.—[The above section was originally section 3 of chapter 136 of the Acts of 1899, section 1 of which (now M A S r e 1912 s 639) required school attendance for children from 8 to 14 years of age only. While section 3 was not specifically repealed, it would appear to be partially nullified by implication, by chapter 164 of the Acts of 1903, which amended section 1 to require attendance during the entire school year for children from 8 to 16 years of age, with certain exemptions. Moreover, these requirements as to evening school attendance are partially covered by the provisions of chapter 95 of the Acts of 1911.]

Enforcement: duties and powers of truant officers in districts of first and second class.—To aid in the enforcement of this act [s 639–650], the board of school directors in districts of the first and second class shall have power, and it shall be their duty, to appoint one or more truant officers whose compensation shall be fixed by the board appointing him. The truant officer shall be vested with police powers, and shall have authority to enter workshops, factories, stores and all other places where children may be employed, in the way of investigation or otherwise, to enforce this act. The truant officer shall institute proceedings against any officer, parent, guardian, person or corporation who shall violate any of the provisions of this act, and shall otherwise discharge the provisions of this act and perform such other services as the county superintendent of schools or the board of directors of the school district may deem necessary to preserve the morals and secure the good conduct of school children, and to enforce this act. * * * [M A S r e 1912 s 643]

Enforcement: duties and powers of truant officers in districts of third class.—The board of school directors in school districts of the third class in this State shall appoint a truancy officer whose powers and duties shall be the same as those prescribed by law for truancy officers in school districts of the first and second class. * * * A member of the school board may be appointed truancy officer. [M A S r e 1912 s 644]

Penalty; failure to compel attendance, parent, etc.—The truant officer shall examine into any case of truancy within his district, and shall warn the parent, guardian, or others in charge of the child of the final consequence of truancy if persisted in. When any child between the ages of eight and fourteen years, or any child between the ages of fourteen and sixteen years, who can not read and write the English language, or is not engaged in some regular employment, or any child between the age of fourteen years and sixteen years who has been discharged from employment to obtain instruction or schooling, is not attending school without lawful excuse and in violation of the provisions of this act [s 639–650], the truant officer shall notify the parent, guardian, or other person in charge, of the fact, and require such person to cause the child to attend some recognized school within five days from the date of the notice, and it shall be the duty of such person so to cause its attendance at some recognized school. Upon failure to do so, the truant officer shall make complaint in the county court of the county in which such child lives, against the parent, guardian or other person having such child in charge, and upon conviction, the parent, guardian or other person in charge, shall be fined not less than five dollars nor more than twenty dollars, or the court may, in its discretion, require the person so convicted to give a bond in the penal sum of $100, with sureties to the approval of the judge of such court, conditioned that he or she will cause the child under his or her care to attend some recognized school within five days thereafter, and to remain at school during the term prescribed at law. And upon the failure or refusal of the parent, guardian or other person to pay such fine or furnish such bond according to the order of the court, the said parent, guardian or other person shall be imprisoned in the county jail not less than ten days nor more than thirty days. * * * [M A S r e 1912 s 645]

Poor relief for child failing to attend on account of poverty compelling employment.—When any truant officer is satisfied that any child within the requirements of this act [s 639–650] is unable to attend school because required to work at home or elsewhere in order to support itself or help or support others legally entitled to its services, the truant officer shall report the case to the authorities charged with the relief of the poor, who shall thereupon afford such relief as will enable the child to attend school: *Provided*, That such child shall not be required to attend more than three hours a day during school days. In case the child or its parents or guardians neglect or refuse

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to take advantage of such provision made for its instruction, such child may be committed to a children's home or juvenile reformatory, as hereinbefore provided. [M A S r e 1912 s 647]

General penalty.—Any person who violates any provision of this act [s 639–650], for which a penalty is not herein provided, shall be fined not more than fifty dollars. [M A S r e 1912 s 648]

Penalty for second offense.—Every person who, after having been convicted once of violating any of the provisions of this act [s 639–650], shall be convicted a second time of a similar offense, may, in addition to the punishment by way of fine elsewhere provided for, be imprisoned not less than 10 days nor more than 30 days: *Provided*, That in all cases arising under this act in which a fine or imprisonment may be a part of the judgment, trial shall be by a jury if not waived. [M A S r e 1912 s 649]

Exemptions; lack of school accommodations.—This [act] shall not apply to school districts in which there are not sufficient accommodations in the public schools to seat children compelled to attend under the provisions of this act [s 639–650]. [M A S r e 1912 s 650]

NOTE.—[Sections 651–656 also refer to employment during school hours and compulsory school attendance, but these sections belong to an earlier law and their provisions appear to be entirely superseded by those o ithe sections here given.]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, THEATERS, ETC.

MINIMUM AGE, HOURS OF LABOR, AND SPECIAL PERMITS

Employment under 14 prohibited in these occupations, in hotels, laundries, messenger service, etc., and in any gainful work during months when schools are in session or at night, or for more than 8 hours a day; permits for public exhibitions and agricultural labor, etc.—No child under the age of fourteen years shall be employed, permitted or suffered to work at any gainable occupation in any theater, concert hall or place of amusement where intoxicating liquors are sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as a messenger or driver therefor, within this State. No child under the age of fourteen years shall be employed at any work performed for wages or other compensation, to whomsoever payable, during any portion of any month when the public schools of the town, township, village or city in which he or she resides, are in session, nor be employed in any work before the hour of seven o'clock in the morning, or after the hour of eight o'clock in the evening: *Provided*, That no child shall be allowed to work more than eight hours in any one day. The general assembly of the State of Colorado does hereby declare that all occupations or employments in which children are forbidden to engage by the provisions of this act [s 657–673] shall be and hereby [are] declared to be injurious or dangerous to health, life or limb. The employments or occupations permitted under this act, under the sections hereof providing for exemptions shall be considered injurious or dangerous to health, life or limb, unless it shall appear from the evidence produced before the authorities permitted to grant such exemptions that, in their opinion, the injury or danger to health, life or limb has been removed: *Provided also*, That where conditions are such as to justify granting a permit exempting children from the provisions of this act to take part in concerts and theatrical performances and where such permits have been granted the performances of such children shall be construed to be a part of their training and education. [sic] Nothing in this act shall be construed to prevent the employment of children in any fruit orchard, garden, field or farm: *Provided*, That any child under fourteen years of age engaging in such employment for persons other than their own parents must first secure a permit from the superintendent of schools in accordance with the provisions of section fifteen [671] of this act. The hours of work during each day, or in any week shall be in compliance with the provisions of this act as to the hours during any day or week when children may be employed. [M A S r e 1912 s 657]

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 prohibited; public exhibitions, etc.; exceptions.—It shall be unlawful for any person having the care, custody or control of any child under the age of sixteen years, or apparently under the age of sixteen years, to exhibit, use or employ such child as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away,[1] or in any variety theater, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for any business, or in any place, situation or exhibition or vocation injurious to the morals or health, or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein. Nothing in this section contained shall apply to or effect the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning the science or practice of music, or in the physical development of its body in any respectable gymnasium or natatorium: *Provided*, That any child may be permitted to take part in any concert or any theatrical exhibition that is being given for profit with the written consent of the authority provided by this act [s 657–673] for the granting of permits to children for exemptions from the provisions of this act. Nothing in this act shall be construed to prevent children taking part in what are known as amateur entertainments or theatricals for charity or not for profit in schools, churches, settlement houses, or boys' or girls' clubs. [M A S r e 1912 s 658]

Employment under 16 prohibited; mines, machinery, dangerous processes, etc.; constant standing prohibited for girls under 16; street trades prohibited for girls under 10.—It shall be unlawful for any person, firm or corporation to take, receive, hire or employ any child or children under sixteen years of age in any underground works or mine, in or about the surface workings thereof, or in any smelter, [or] coke oven or to adjust any belt to any machinery, or to operate or assist in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metals, wood-turning or boring machinery, stamping machines in sheet-metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery or other steam generating apparatus, or automobiles, [or] wire or iron straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendary [calender] rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery, nor shall children be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes; nor shall females under the age of sixteen years of age be employed in any capacity whatsoever where such employment compels them to remain standing constantly. No female child under ten years of age shall sell or be permitted or allowed to sell or distribute any newspapers, periodicals or other publication or any article of merchandise or to engage in or carry on any other business or occupation in the streets or alleys of any town or city. [M A S r e 1912 s 659]

Court decision.—Corporations were held to be amenable to a former section on this subject; instructing an officer of a corporation not to employ children is not a defense; the officer of a corporation through whose act the corporation violates the law is himself guilty.—Overland Cotton Mill Co. *v.* People, 32 Col. 263, 75 Pac. 924 (1904).

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, THEATERS, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16.—It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors over 14 years and under 16 years of age in any mercantile institution, store, office,

[1] Proprietor of saloon, etc., is prohibited by Mill's Annotated Statutes, revised edition, 1912, section 1942 from permitting any minor to frequent such place unless accompanied by parent or guardian.

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hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop or as a messenger or driver therefor, within this State, to keep a register in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, factory or workshop in which said minors shall be employed or permitted or suffered to work, in which register shall be recorded the name, age and place of residence of every child employed or suffered or permitted to work there, or as messenger or driver therefor, over the age of 14 and under the age of 16 years; and it shall be unlawful for any person, firm or corporation, agent or manager of any firm or corporation to hire or employ, or permit or suffer to work in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, any child under the age of 16 years and over 14 years of age, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, factory or workshop, theater, concert hall or place of amusement, an age and school certificate approved as hereinafter provided. [M A S r e 1912 s 660]

Lists to be posted in certain establishments.—Every person, firm or corporation, agent or manager of a corporation employing or permitting or suffering to work five or more children under the age of 16 years and over the age of 14 in any mercantile institution, store, office, laundry, hotel, manufacturing establishment, factory or workshop, shall post and keep posted in a conspicuous place in every room in which such help is employed, or permitted or suffered to work, a list containing the name, age, and place of residence of every person under the age of 16 years employed, permitted or suffered to work in such room. [M A S r e 1912 s 661]

Certificates required for all children employed under this act; lists of illiterate minors under 16 not attending evening school, required.—No child permitted to be employed under this act [s 657–673] shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall, or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, factory or workshop, and accessible to the State factory inspector, assistant factory inspector or deputy factory inspector, an age and school certificate as hereinafter prescribed; and unless there is kept on file and produced on demand of said inspectors of factories a complete and correct list of all the minors under the age of 16 years so employed who can not read at sight and write legibly simple sentences, unless such child is attending night school as hereinafter provided. [M A S r e 1912 s 662]

School authorities to issue certificates; exceptions; method of issuing; records of issuing office.—An age and school certificate shall be approved only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools, by a person authorized by the school board: *Provided*, That the superintendent or principal of a parochial school shall have the right to approve an age and school certificate, and shall have the same rights and powers as the superintendent of public schools to administer the oaths therein provided for children attending parochial schools: *Provided further*, That no member of a school board or other person authorized as aforesaid shall have authority to approve such certificates for any child then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employee. The person approving these certificates shall have authority to administer the oath provided herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authorities to designate a place (connected with their office, when practicable) where certificates shall be issued and recorded, and to establish and maintain the necessary records and clerical service for carrying out provisions of this act. [M A S r e 1912 s 663]

Evidence of age required.—An age and school certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such child, the register of birth of such child with a town or city clerk, or by the records of the public or parochial schools, that such child is of the age stated in the certificate: *Provided*, That in cases arising wherein the above proof is not obtainable, the parent or guardian of the child shall make oath before the juvenile or county court or any officer thereof as to the age of such child, and the court may issue to such child an age certificate as sworn to. [M A S r e 1912 s 664]

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School attendance certificates required; contents of various certificates; illiterate minors where there is no evening school; certificate to be returned to child; records of issuing office.—The age and school certificate of a child under 16 years of age shall not be approved and signed until he presents to the person authorized to approve and sign the same a school attendance certificate, as hereinafter prescribed, duly filled out and signed. A duplicate of such age and school certificate shall be filled out and shall be forwarded to the State factory inspector's office. Any explanatory matter may be printed with such certificate, in the discretion of the school board or superintendent of schools. The employment and the age and school certificates shall be separately printed and shall be filled out, signed and held or surrendered as indicated in the following forms:

SCHOOL CERTIFICATE.

(Name of school.) (City or town and date.)

This certifies (name of minor) of the .... th grade, can read and write legibly simple sentences. This also certifies that according to the records of this school, and in my belief, the said (name of minor) was born at (name of city or town), in (name of county), on the (date) and is now (number of years and months) old.

(Name of parent or guardian.)
(Residence.)

(Signature of teacher) .... grade.
(Name of principal.)

EVENING SCHOOL ATTENDANCE CERTIFICATE

(Date.)

This certifies that (name of minor) is registered in and regularly attends .... evening school. This also certifies that according to the records of my school and in my belief the said (name of minor) was born at (name of city or town), on the .... day of (years), [sic] and is now (number of years and months) old.

(Name of parent or guardian.)
(Residence.)
(Signature of teacher.)
(Signature of principal.)

AGE AND SCHOOL CERTIFICATE

This certifies that I am (father, mother, guardian or custodian) of (name of minor), and that (he or she) was born at (name of town or city), in the (name of county, if known) and State and county of ....., ... on the (day of birth and year of birth) and is now (number of years and months) old.

(Signature of parent, guardian, or custodian.)
(City or town and date.)

There personally appeared before me the above named (name of person signing) and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge. I hereby approve the foregoing certificate of (name of child) height (feet and inches), weight ...., complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified.

This certificate belongs to (name of child in whose favor it is drawn) and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same; but if not claimed by said child within thirty days from such time it shall be returned to the superintendent of schools, or where there is no superintendent of schools, to the school board.

(Signature of person authorized to approve and sign, with official character [of] authority.)
(Town or city and date).

In the case of a child who can not read at sight and write legibly simple sentences the certificate shall continue as follows: after the word sentences: "I hereby certify that (he or she) is regularly attending the (name of public or parochial evening school)." This certificate shall continue in force just as long as the regular attendance of said child at said evening school is certified weekly by the teacher and principal of such school.

In any city or town in which there is no public or parochial evening school, an age and school certificate shall not be approved for a child under the age of 16 years who can not read at sight and write legibly simple sentences, the certificate of the principal of a public or parochial school shall be prima facie evidence as to the literacy or illiteracy of the child. [M A S r e 1912 s 665]

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EDUCATIONAL REQUIREMENTS

Evening school attendance required for employment of illiterates from 14 to 16 where evening school is maintained.—No person shall employ any minor over 14 years of age and under 16 years, and no parent, guardian or custodian shall permit to be employed any such minor under his control who can not read at sight and write legibly simple sentences, while a public evening school is maintained in the town or city in which such minor resides, unless such minor is a regular attendant at such evening school. [M A S r e 1912 s 666]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of State factory inspectors and school authorities.—The State inspector of factories, his assistants or deputies, shall visit all mercantile institutions, stores, offices, laundries, manufacturing establishments, bowling alleys, theaters, concert halls or places of amusement, factories or workshops, and all other places where minors are or may be employed in this State, and ascertain whether any minors are employed contrary to the provisions of this act [s 657–673]. Inspectors of factories may require that age and school certificates, and all lists of minors employed in such factories, workshops, mercantile institutions and all other places where minors are employed as provided for in this act, shall be produced for their inspection on demand: *And provided further*, That upon written complaint to the school board or local school authorities of any city, town, district or municipality, that any minor (whose name shall be given in such complaint) is employed in any mercantile institution, store, office, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver thereof, contrary to the provisions of this act, it shall be the duty of such school board or local school authority to report the same to the State inspector of factories. [M A S r e 1912 s 667]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No person under the age of 16 years shall be employed or suffered or permitted to work at any gainful occupation more than forty-eight hours in any one week, nor more than eight hours in any one day; or after the hour of 8 o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or other meals begins and ends. The printed form of such notice shall be furnished by the State inspector of factories, and the employment of any such minor for longer time in any one day so stated shall be deemed a violation of this section. [M A S r e 1912 s 668]

MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

ENFORCEMENT

Presence to be evidence of employment.—The presence of any person under the age of 16 years in any manufacturing establishment. factory or workshop shall constitute prima facie evidence of his or her employment therein. [M A S r e 1912 s 669]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of State factory inspectors.—It shall be the special duty of the State factory inspector to enforce the provisions of this act [s 657–673] and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the State factory inspector, assistant State factory inspector and deputy State factory inspectors under the supervision and direction of

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the State factory inspector, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by this act: *Provided*, That this act shall not be construed to repeal any law of this State imposing duties or responsibilities upon any other officer or person to make inspections or bring prosecutions for the violation of any school law or any other law of this State for the protection of children. [M A S r e 1912 s 670]

EXEMPTIONS AND SPECIAL PERMITS

Permits may be issued by school authorities exempting children from provisions relating to public exhibitions and exempting children from 14 to 16, or over 12 during vacation, from any other provision of act; exception; conditions; appeal to county or juvenile court.—Any child may be exempted from the provisions of this act [s 657–673] concerning the employment of children in any concert or theatrical exhibition or performance in any place where intoxicating liquors are not sold, and between the ages of fourteen and sixteen, from any other provisions of this act, except the provisions of section three (3) [659], on the following conditions: Any such child, its parent or person seeking to employ such child shall file an application in writing with the city superintendent of schools if there be any such city superintendent of schools—and if not, then with the county superintendent of schools, or any person deputized by them to receive and act upon such application, stating his or her age, residence, address, school attendance, grade, names of parent, parents or guardian, and in detail the nature of employment sought, the number and character of the performances, the kind of work required and the name of the employer, and such facts as may be required to enable such person to pass intelligently upon such application. Within not less than 48 hours of the filing of such application, it shall be the duty of such officer to hear and determine such application, and if the same shall be granted, such officer granting the same, shall issue a written permit to such child, stating therein his reasons for such permit. If such application is refused, the child or the person making the same for the child shall be entitled upon demand, within 24 hours after such refusal, to be furnished with a written statement of the reasons of such officer for refusing to issue such permit. An appeal may be taken from the decision of such officer so passing upon such application to the county or juvenile court of the county in which such application is made, upon such child, its parent or guardian or any person interested in the protection of such child filing a brief written petition with the clerk of said court, with a copy of such refusal to grant such permit: *Provided*, Such appeal is taken within ten days after the refusal to issue such permit. No fee shall be charged for any such application or on account of any such appeal. No permit shall be granted under the provisions of this section to any child to be employed in any concert or theatrical exhibition or performance unless it shall be made to appear that suitable provisions have been made by the employer of such child for the protection of the moral and physical health and the education of such child. The person passing upon such application or any court before whom such matter may be brought for final determination, may, as a condition to granting such permit, make such reasonable terms and conditions as shall seem necessary and proper for safeguarding the moral and physical health of such child and giving it such educational advantages as may seem to be for its best interests. And it shall be lawful to attach as a condition to any such permit mentioned in this section a written promise of the employer of such child to comply with the terms thereof and a bond or undertaking to the people of the State of Colorado in the penal sum to be fixed by the court, not exceeding two thousand dollars ($2,000), with one or more sureties may be required by the court of such employer conditioned that he will faithfully carry out the terms and conditions upon which such permit may be granted. Permits or copies certified to as correct by the authorities issuing the same granting exemptions from this act for children to appear in any concert or theatrical performance shall be kept on file at the box office of concert halls or theater in which any such child may appear under such permits. All such permits shall be subject to inspection by the humane society and probation officers and factory inspectors. Any person may apply to the county or juvenile court to have the exemption permitted by this act revoked by such court by filing with the clerk of the court a short petition setting up the facts showing that the conditions of the permit granting such exemption have been violated, or that it is not for the best interest of such child to have such permit or exemption. Whereupon, the court shall issue a summons or notice to such child and to at least one of its parents or guardian, if there be such parent or guardian in the county, requiring them to appear before such court within not less than forty-eight hours to show cause

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why the prayer of such petition should not be granted or such permit or exemption should not be revoked. During that part of the months of June, July and August when the public schools are not in regular session, children over twelve years of age shall be entitled to exemptions from the provisions of this act, permitted by section fifteen [671], upon complying with the conditions and receiving the permit provided for in said section. [M A S r e 1912 s 671]

PENALTIES

Permitting employment; parent, etc.; failure to produce certificates or lists; false statements; employer violating act or hindering factory inspectors.—Whoever, having under his control a child under the age of 16 years, permits such child to be employed in violation of the provisions of this act [s 657–673], shall for each offense be fined not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00), and shall stand committed until such fine and costs are paid. A failure to produce to the inspector of factories, his assistant or deputies, any age and school certificates or lists required by this act, shall constitute a violation of this act, and the person so failing shall, upon conviction, be fined not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each offense. Every person authorized to sign the certificate prescribed by section 7 [663] of this act, who certifies to any materially false statement therein, shall be guilty of a violation of this act, and upon conviction be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100) for each offense, and shall stand committed until such fine and costs are paid. Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether for himself or for such firm or corporation, or by himself or through subagents or foreman, superintendent or manager, who shall violate or fail to comply with any of the provisions of this act, or shall refuse admittance to premises, or otherwise obstruct the factory inspector, assistant factory inspector or deputy factory inspector in the performance of their duties, as prescribed by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100) for each offense, and shall stand committed until such fine and costs are paid. It is the intention and purpose of this act to extend personal responsibility to the president and general manager of any corporation for violation of this act by any foreman, superintendent or submanager or subagent. [M A S r e 1912 s 672]

Second offense.—Any person, agent, firm or corporation who shall be convicted of a second violation of any provision of this act [s 657–673] shall be fined in a sum not less than one hundred dollars ($100), or more than five hundred dollars ($500) or be imprisoned in the county jail for not to exceed ninety (90) days or by both such fine and imprisonment, in the discretion of the court. [M A S r e 1912 s 673]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places, etc.—No agency shall send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, any place of questionable character, or to any house or place of amusement kept for immoral purposes. * * * [M A S r e 1912 s 2677]

Enforcement and penalty.—It shall be the duty of the deputy labor commissioner when informed of any violation of this act [s 2676–2680], to institute criminal proceedings for the enforcement of its penalties before any court of competent jurisdiction. Any violation of the provisions of this act shall be a misdemeanor and shall be punished by a fine of not less than one hundred ($100) dollars nor more than two hundred ($200) dollars for each offense, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment at the discretion of the court. [M A S r e 1912 s 2680]

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FACTORIES, WORKSHOPS, STORES, ETC.

TOILETS AND DRESSING ROOMS FOR GIRLS

Enforcement: duties and purpose of department of factory inspection; appointment of inspectors.—There is hereby established a separate and distinct department to be known as the department of factory inspection of the State of Colorado, which department shall be charged with the inspection of all factories, mills, workshops, bakeries, laundries, stores, hotels, boarding or bunk houses, or any kind of an establishment wherein laborers are employed or machinery used, for the purpose of protecting said employees or guests against damages arising from imperfect or dangerous machinery, or hazardous and unhealthy occupation * * *. The deputy labor commissioner of the State of Colorado [see M A S r e 1912 s 537] shall be the chief factory inspector under this act [s 2829–2840]; the said chief inspector, within five days after the passage of this act, shall recommend, and the secretary of state shall appoint four deputy factory inspectors, one of whom shall be a woman * * *. [M A S r e 1912 s 2829]

Enforcement: duties of factory inspectors.—It shall be the duty of the chief factory inspector, by himself or his duly appointed deputy, to examine as soon as may be after the passage of this act [s 2829–2840], and thereafter annually, and from time to time, all factories, mills, workshops, bakeries, stores, hotels, or any kind of an establishment wherein laborers are employed or machinery used or appliances therein contained to which the provisions of this act are applicable, for the purpose of determining whether they do conform to such provisions, and to [of] granting or refusing certificates of approval, as hereinafter provided. [M A S r e 1912 s 2833]

Separate toilets for the sexes; separate dressing rooms for girls if needed.—Every factory, workshop, office, bakery, laundry, store, hotel, or other building in which four or more persons are employed shall be provided within reasonable access with a sufficient number of water-closets, earth closets or privies, for the reasonable use of the persons therein; and whenever male or female persons are employed as aforesaid together, water-closets, earth closets or privies separate and apart shall be provided for the use of each sex and plainly so designated, and no person shall be allowed to use such closets or privy assigned to the other sex. Such closets shall be properly screened and ventilated and at all times kept in a clean and good sanitary condition. In factories, laundries, mills, and workshops and in all other places where the labor performed by the operator is of such character that it becomes desirable or necessary to change the clothing wholly or in part before leaving the building at the close of the day's toil, separate dressing rooms shall be provided for women and girls whenever so required by the factory inspector. It shall be the duty of every occupant, whether owner or lessee of any premises so used as to come within the provisions of this act [s 2829–2840] to carry out the same and to make all the changes and additions necessary therefor. * * * [M A S r e 1912 s 2838]

Enforcement and penalty: powers of factory inspectors.—The chief factory inspector or any employee of the department of factory inspection shall have power to enter any factory, mill, workshop, office, bakery, laundry, store, hotel, or any public or private works where labor is employed or machinery used. Any person, persons, firm, copartnership, corporation, trust, trustee, their agent, or agents, who shall refuse to allow an inspector or employee of the said department to enter or who shall violate any of the provisions of this act [s 2829–2840], shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not less than fifty ($50) dollars nor more than one hundred ($100) dollars or be imprisoned in the county jail not to exceed ninety (90) days for each and every offense. [M A S r e 1912 s 2840]

MINES, SMELTERS, ETC.

HOURS OF LABOR

Specific occupations declared injurious and dangerous.—Employment in all underground mines, undergound workings, open cut workings, open pit workings, smelters, reduction works, stamp mills, concentrating mills, chlorination processes, cyanide processes and coke ovens, is hereby declared to be injurious to health and dangerous to life and limb. [M A S r e 1912 s 4471 as reenacted by 1913 C 95]

Eight hours a day; exceptions.—The period of employment of men working in all underground mines, underground workings, open cut workings, open pit workings, smelters, reduction works, stamp mills, concentrating mills, chlorination processes, cyanide processes and coke ovens shall not exceed eight (8) hours within any twenty-

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four (24) hours except in cases of emergency where life or property is in imminent danger. [M A S r e 1912 s 4472 as reenacted by 1913 C 95]

Penalty.—Any person, persons, body corporate, general manager or employer who shall violate or cause to be violated any of the provisions of this act [s 4471–4473], shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred and fifty dollars ($250), nor more than five hundred dollars ($500), or by imprisonment in the county jail not less than ninety (90) days nor more than six (6) months or by both such fine and imprisonment. Every day's violation of the provisions of this act shall constitute a separate offense. [M A S r e 1912 s 4473 as reenacted by 1913 C 95]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person, corporation or company employing females in any manufacturing, mechanical or mercantile establishments in this State, shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. [M A S r e 1912 s 5742]

Penalty.—Any person, corporation or company violating any of the provisions of this act [s 5742–5743], shall be punished by fine of not less than ten dollars nor more than thirty dollars for each offense. [M A S r e 1912 s 5743]

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 consecutive hours' work for certain employees; exceptions.—No company operating a railroad in whole or in part within this State, shall permit or require any conductor, engineer, fireman, brakeman, telegraph operator, or any trainman who has worked in his respective capacity for sixteen (16) consecutive hours, except in case of casualty, to again go on duty or perform any work until he has had at least ten (10) hours' rest. [M A S r e 1912 s 6164]

Penalty.—Any company which violates, or permits to be violated, any of the provisions of the preceding section or any officer, agent or employee who violates or permits to be violated any of the provisions of the preceding section, shall be fined not less than one hundred dollars, nor more than three hundred dollars, for each and every violation of this act [s 6164–6165]. [M A S r e 1912 s 6165]

MINIMUM AGE

Employment of telegraph operators under 18 prohibited.—No railroad company operating a line or lines of railroad within this State shall hire or employ any person or persons as telegraph operators for the purpose of receiving or transmitting telegraph messages or train orders for the movement of trains, unless said person or persons are at least eighteen (18) years of age, and who [sic] have had not less than one year's experience as a telegraph operator. [M A S r e 1912 s 6166]

Penalty.—Any railroad company, its officers or agents, violating the provisions of this act [s 6166–6167], shall be guilty of a misdemeanor, and shall be fined not less than one hundred dollars ($100) nor more than one thousand [dollars] ($1,000) for each and every offense. [M A S r e 1912 s 6167]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21.— * * * Between the tenth day of February and the first day of March, in each year, the secretary [of school board], or some person, authorized by him, shall take a census of all persons over six years and under twenty-one years of age who were bona fide residents of the district on the tenth day of February aforesaid. The names so listed shall be arranged alphabetically, and be so classified as to distinguish between male and female. The

[1] See court decision on page 7 (New York).

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census list shall be sworn to as correct by the person taking the same, and, if such person be other than the secretary, shall be certified by the secretary, and shall be forwarded to the county superintendent on or before the first day of April of the current school year. In districts of first and second classes a copy shall be delivered to the principal teacher, or superintendent of the district, and in all cases a copy shall be retained in the office of the secretary. [M A S 1912 s 6668]

COAL MINES

MINIMUM AGE

Enforcement: duties of inspectors.—It shall be the duty of the chief inspector [of coal mines] or his deputies, to enter into, and examine thoroughly each and every coal mine in the State at least once every ninety days, to see that the provisions of this act are observed and strictly carried out. * * * [1913 C 56 s 38]

Employment of boys under 16 and of girls of any age prohibited; exceptions.—No males under sixteen years of age and no females shall be employed in or about the coal mines, or coke ovens, except in an office in a clerical capacity. [1913 C 56 s 108]

Penalty.—Any violation of any provision of this act shall be deemed a misdemeanor and shall be punished by a fine of not more than one thousand dollars or by imprisonment of not more than one year, in the county jail, or by both such fine and imprisonment. Each and every day's violation of any provision of this act shall be deemed a separate offense, and it shall be the duty of the chief inspector to institute proceedings in the proper courts in case of all said violations. [1913 C 56 s 172]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Specific occupations declared injurious and dangerous for females.—Employment of females in any and all manufacturing, mechanical and mercantile establishments, laundries, hotels and restaurants, is hereby declared to be injurious to health and dangerous to life and limb. [1913 Appendix p 692 s 1]

Eight hours a day.—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant in this State more than eight (8) hours during any twenty-four (24) hours of any one calendar day. The hours of work may be so arranged as to permit the employment of females at any time: *Provided*, That any such female shall not work more than eight (8) hours during the twenty-four (24) hours of any one calendar day. [1913 App p 692 s 2]

Court decision.—A former section was held unconstitutional in so far as it applied to laundries, because it failed to declare that the laundry business is injurious to the health of employees therein.—Burches *v.* People, 41 Col. 495, 93 Pac. 14 (1907).

Penalty.—Any person, persons, firm, co-partnership, association, company or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty ($50.00) dollars nor more than five hundred ($500.00) dollars, or by imprisonment in the county jail not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment. Every day's violation of the provisions of this act shall constitute a separate offense. [1913 App p 692 s 3]

ALL OCCUPATIONS

MINIMUM WAGE

State wage board established; organization.—There is hereby created a State wage board to be composed of three members; at least one of whom shall be a representative of labor, at least one of whom shall be a woman and one of whom shall be an employer of labor. The members of said board shall be appointed by the governor, immediately upon the taking effect of this act and the term of existence of said board shall be for two years. [1913 C 110 s 1]

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Board to investigate cases of inadequate wages paid women and minors under 18 in specified occupations; public hearings; power of board to fix minimum wage; publication; employers to post decisions.—It shall be the duty of the wage board to inquire into the wages paid to female employees above the age of eighteen years and minor employees under eighteen years of age in any mercantile, manufacturing, laundry, hotel, restaurant, telephone or telegraph business in this State, if the board or any member of it may have reason to believe the wages paid any such employees are inadequate to supply the necessary cost of living, maintain them in health, and supply the necessary comforts of life. The wage board shall also inquire into the cost of living in the locality or localities in which the business is carried on and shall take into consideration the financial condition of the business and the probable effect thereon of any increase in the minimum wage paid in different localities, which inquiry and investigation shall be held in the locality affected. After such investigation it shall be the duty of the wage board to fix the minimum wage, whether by time rate or piece rate, suitable for the female employees over eighteen years of age in such business or in any or all of the branches thereof and also a suitable minimum wage for minors under eighteen years of age employed in the said business. When two or more members of the wage board shall agree upon a minimum wage determination, the board shall give public notice, by advertisement published once in a newspaper of general circulation in the county or counties in which any such business so affected is located, declaring such minimum wage determination or determinations and giving notice of a public hearing thereon to be heard in the town or city nearest the place wherein the inadequate wage is found to exist; said hearing to be held not earlier than thirty days from the date of such publication. A copy of such notice shall also be mailed to the person, association or corporation engaged in the business affected. After such public hearing or after the expiration of the thirty days, provided no public hearing is demanded, the wage board shall issue an obligatory order to be effective in sixty days from the date of said order specifying the minimum wages for women or minors or both in the occupation affected or any branch thereof, and after such order is effective, it shall be unlawful for any employer in said occupation to employ a female over eighteen years of age or a minor under eighteen years of age for less than the rate of wages specified for such female or minor. The order shall be published once in a newspaper of general circulation in the county or counties in which any such business affected is located and a copy of the order shall be sent by mail to the person, association or corporation engaged in said business; and each such employer shall be required to post a copy of said order in a conspicuous place in each building in which women or minors affected by the order are employed. [1913 C 110 s 2]

Power to subpoena witnesses and compel testimony.—The board shall, for the purposes of this act, have the power of [to] subpoena witnesses and compel their attendance, to administer oaths, and examine witnesses under oath, and to compel the production of papers, books, accounts, documents and records. If any person shall fail to attend as a witness when subpoenaed by the board or shall refuse to testify when ordered so to do, the board may apply to any district court or county court to compel obedience on the part of such person and such district or county court shall thereupon compel obedience by proceedings for contempt as in case of disobedience of any order of said court. [1913 C 110 s 3]

Fees of witnesses.—Each witness who shall appear before the board by order of the board shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in the district courts of the State. [1913 C 110 s 4]

Record of testimony.—A full and complete record shall be kept of all testimony taken by, and of all proceedings had before the board. [1913 C 110 s 5]

Right of appeal from decision of board.—Any employer, employee or other person directly affected by any order of the board fixing and determining a minimum wage in any occupation or industry, shall have the right of appeal from such order to the district court of the State on the ground that such order is unlawful or unreasonable. The evidence considered upon such appeal shall be confined to the evidence presented to the board in the case from the decision in which the appeal is taken, and the order of the board shall remain in full force and effect until such order is reversed or set aside by the district court. In all proceedings in the district court the district attorney shall appear for the board. In all proceedings in the supreme court the attorney general shall appear for the board. [1913 C 110 s 6]

Penalty for paying less than minimum wage established.—Any person or partnership or corporation employing any female person above the age of eighteen years at less than the minimum wage fixed for such persons by this board, and any person, part-

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nership or corporation employing any person of either sex under the age of eighteen years at less than the minimum wage fixed for such persons by this board, or violating any other provision of this act shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than $100.00 for each offense, or by imprisonment in the county jail for not more than three months or by both fine and imprisonment. [1913 C 110 s 7]

Testimony of employee not to cause discharge or discrimination; penalty.—Any employer who discharges or in any other manner discriminates against any employee because such employee has testified, or is about to testify, or because such employer believes that said employee may testify, in any investigation or proceeding relative to the enforcement of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of twenty-five dollars for each such misdemeanor. [1913 C 110 s 8]

Enforcement by justices of the peace.—Justices of the peace shall have, according to law, jurisdiction within their respective counties of all offenses arising under the provisions of this act. [1913 C 110 s 9]

Right to recover balance when paid less than minimum wage.—If any employee shall receive less than the minimum wage fixed by this board for employees in the occupation in which said person is employed, he or she shall be entitled to recover in a civil action, the full amount which would have been due said employee if the minimum wage fixed by the board had been paid, together with costs and attorney fees to be fixed by the court, notwithstanding any agreement to work for such lower wage. In such action, however, the employer shall be credited with any wages which have been paid said employee. [1913 C 110 s 10]

Special individual minimum wage may be granted women physically defective, in occupations having only minimum time rate.—For any occupation in which a minimum time rate only has been established, the wage board may issue to any female over the age of eighteen, physically defective, a special license authorizing the employment of such licensee for a wage less than the legal mimimum wage: *Provided*, It is not less than the special minimum wage fixed for said person. [1913 C 110 s 11]

Compensation; secretary; expenses.—The wage board shall, by and with the consent of the governor, appoint a secretary who may, or may not be a member of the board and who shall give his entire time to the duties of the office, whose salary shall be twelve hundred dollars ($1,200.00) per annum, payable monthly. The members of said wage board and the secretary thereof shall be paid all necessary traveling and incidental expenses actually incurred in the performance of their official duties, not to exceed thirteen hundred dollars ($1,300.00) per annum. * * * [1913 C 110 s 12]

First report.—The board shall, within thirty days after the convening of the twentieth general assembly, make a report to the governor and to the general assembly of its investigations and proceedings during the period of its existence, up to and including November 30, 1914. [1913 C 110 s 13]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Definitions.—The following terms as used in this act, shall be construed and have the following meaning, unless otherwise specifically defined in the context:

(a) The term "place of employment" shall mean and include every place, whether in doors or out or under ground, and the premises appurtenant thereto, where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly relating to any industry, trade or business, is carried on, and where any person is directly or indirectly employed by another for direct or indirect gain or profit.

(b) The term "employment" shall mean and include any trade, occupation or process of manufacture, or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged.

(c) The term "employer" shall mean and include:

I. The State, and each county, city, town, irrigation and school district therein, and all public institutions and administrative boards thereof.

II. Every person, association of persons, firm and private corporation (including any public service corporation), manager, personal representative, assignee, trustee and receiver, who has four (4) or more persons regularly engaged in the same busi-

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ness or employment, (except as otherwise expressly provided in this act), in service under any contract of hire, express or implied.

III. This act is not intended to apply to employers of private domestic servants or farm and ranch labor; nor to employers who employ less than four employees regularly in the same business, or in or about the same place of employment.

(d) The term "employee" shall mean and include every person in the service of the State or of any county, city, town, irrigation or school district therein, or of any public institution or administrative board thereof, and any other person, association of persons, firm, private corporation, including any public service corporation, personal representative, assignee, trustee, or receiver under any contract of hire, express or implied, including aliens, and also including minors who are legally permitted to work under the laws of this State, who, for the purposes of this act, shall be considered the same, and shall have the same power of contracting with respect to their employment as adult employees.

* * * * * * *

(h) The term "deputy" shall mean and include any person employed by the commission designated as such deputy by the commission, and who may be engaged in the performance of duties under the direction of the commission. [1915 C 180 s 4]

* * * * * * *

Duties and powers of industrial commission.—It shall also be the duty of the commission [Industrial Commission of Colorado], and it shall have the power, jurisdiction and authority:

(a) To appoint advisors, who shall, without compensation, assist the commission in the execution of its duties;

(b) To inquire into and supervise the enforcement, as far as respects relations between employer and employee, of the laws relating to child labor, laundries, stores, factory inspection, employment of females, employment offices and bureaus, mining, both coal and metalliferous, fire escapes and means of egress from places of employment and all other laws protecting the life, health, and safety of employees in employments and places of employment;

* * * * * * *

(g) To license and supervise private employment agencies; to supervise State free employment agencies; to do all in its power to bring together employers seeking employees, and working people seeking employment. * * *

* * * * * * *

(j) The commission shall cause to be printed, and, upon application, furnish, free of charge, to any employer or employee such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this act; it shall provide such proper record books or records as it shall deem required for the proper and efficient administration of this act, all such records to be kept in the office of the commission. * * * [1915 C 180 s 11]

Powers of industrial commission.—The commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment in this State as may be necessary adequately to ascertain and determine the conditions under which the employees labor, and the manner and extent of the obedience by the employer to all laws and all lawful orders requiring * * * the protection of the life, health and safety of every employee in such employment or place of employment, and to enforce all provisions of law relating thereto; and is also vested with power and jurisdiction to administer all provisions of this act with respect to the relations between employer and employee and to do all other acts and things convenient and necessary to accomplish the purposes of this act. [1915 C 180 s 15]

Powers of industrial commission; penalty for hindering commission.—The commission, or any member thereof, and, on being authorized in writing by the commisson, any other person, may, without any other warrant than this act, at any reasonable time, enter any building, mine, mine workings, factory, workshop, place or premises of any kind, wherein, or in respect of which, any industry is carried on or any work is being or has been done or commenced, or any matter or thing is taking place, which has been made the subject of investigation, hearing or arbitration by the commission or the board [Industrial Commission of Colorado], and inspect and view any work, material, machinery, appliance or article therein, and interrogate any persons in or upon any such building, mine, mine workings, factory, workshop, place or premises as aforesaid in respect of or in relation to any matter or thing hereinbefore mentioned; and

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any person who shall hinder or obstruct the commission, or any such person authorized as aforesaid, in the exercise of any power conferred by this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars. [1915 C 180 s 20]

Records, etc., to be open to inspection; penalty for refusing inspection.—All books, records and payrolls of employers, * * * and other data, facts and statistics appertaining to the purposes of this act shall always be open for inspection by the commission or any of its agents for the purpose of ascertaining the conditions of employment, and such other information as may be necessary for the uses and the purposes of the commission in its administration of the law. Any employer who shall refuse to admit such commission or its agents to such place of employment for such purposes shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500). [1915 C 180 s 21]

General penalty.—If any employer or employee, or any other person shall violate any provisions of this act, or shall do any act prohibited thereby, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or shall fail, neglect or refuse to obey any lawful order made by the commission or any judgment or decree made by any court as provided by this act, for each violation, failure or refusal, such employer, employee or other person shall be punished by a fine of not less than one hundred dollars for each such offense. [1915 C 180 s 44]

Penalty for continued violation.—Every day during which any employer or officer or agent thereof, or any employee, shall fail to comply with any lawful order of the commission or to perform any duty imposed by this act, shall constitute a separate and distinct violation thereof. [1915 C 180 s 45]

Prosecution.—All penalties provided for in this act shall be collected in a civil action brought against the employer or employee as the case may be, in the name of the commission, and all such penalties, when collected, shall be paid into the expense fund of such commission and become a part thereof. [1915 C 180 s 46]

Repealing clause; acts, etc., in conflict.—All acts and parts of acts in conflict with the provisions of this act, are hereby repealed: *Provided*, That no right of action now existing shall be affected by such repeal * * *. [1915 C 180 s 50]

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Note.—[The duties and powers relating to enforcement of labor laws heretofore exercised by the factory inspector have been transferred by chapter 255 of the Acts of 1915 to the commissioner of labor and factory inspection. In every case the new enforcing authority has been indicated in the text by an insertion in brackets, the former enforcing power being omitted.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in rope walking, dancing, acrobatic performances, etc., prohibited; penalty.—Every person who shall exhibit, use, employ, apprentice, give away, let out, or otherwise dispose of any child under the age of sixteen years, in or for the vocation, occupation, service, or purpose of rope or wire walking, dancing, skating, bicycling, or peddling, or as a gymnast, contortionist, rider, or acrobat, in any place; or for or in any obscene, indecent, or immoral purpose, exhibition, or practice; or for or in any business, exhibition, or vocation injurious to the health, or dangerous to the life or limb of such child; or who shall cause, procure, or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars, or imprisoned not more than one year, or both. [General Statutes revision 1902 section 1163 as amended by 1915 C 175]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 16; exemptions from 14 to 16 if lawfully employed.—All parents and those who have the care of children shall bring them up in some lawful and honest employment, and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic, and United States history. Every parent or other person having control of a child over seven and under sixteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the district wherein such child resides is in session, or while the school is in session where provision for the instruction of such child is made according to law, unless the parent or person having control of such child can show that the child is elsewhere receiving regularly thorough instruction during said hours and terms in the studies taught in the public schools. Children over fourteen years of age shall not be subject to the requirements of this section while lawfully employed at labor at home or elsewhere; but this provision shall not permit such children to be irregular in attendance at school while they are enrolled as scholars, nor exempt any child who is enrolled as a member of a school from any rule concerning irregularity of

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attendance which has been enacted or may be enacted by the town school committee, board of school visitors, or board of education, having control of the school. [G S r 1902 s 2116]

Court decision.—The words "those who have the care of children" are equivalent to parents or guardians.—Yale *v.* West Middle School District, 59 Conn. 489 (1890).

PENALTIES

Parent, etc.; exceptions.—Each week's failure on the part of a person to comply with any provision of [section] 2116 shall be a distinct offense, punishable with a fine not exceeding five dollars. Said penalty shall not be incurred when it appears that the child is destitute of clothing suitable for attending school, and the parent or person having control of such child is unable to provide such clothing, or its mental or physical condition is such as to render its instruction inexpedient or impracticable. * * * [G S r 1902 s 2117]

Employer.—Every person who shall employ a child under fourteen years of age during the hours while the school which such child should attend is in session, and every person who shall authorize or permit on premises under his control any such child to be so employed, shall be fined not more than twenty dollars for every week in which such child is so employed. [G S r 1902 s 2119]

False statements.—Every parent or other person, having control of a child, who shall make any false statement concerning the age of such child with intent to deceive the town clerk or registrar of births, marriages, and deaths of any town, or the teacher of any school, or shall instruct a child to make any such false statement, shall be fined not more than twenty dollars. [G S r 1902 s 2120]

ENFORCEMENT

Duties of school visitors, etc.—The school visitors or the town school committee in every town shall, once or more in every year, examine into the situation of the children employed in all manufacturing establishments, and ascertain whether all the provisions of this chapter [s 2116-2129] are duly observed, and report all violations thereof to the proper prosecuting authority. [G S r 1902 s 2121]

Regulations of cities and towns concerning truants.—Each city and town may make regulations concerning habitual truants from school and children between the ages of seven and sixteen years wandering about its streets or public places, having no lawful occupation, nor attending school, and growing up in ignorance; and may make such by-laws, respecting such children, as shall conduce to their welfare and to public order, imposing penalties, not exceeding twenty dollars for any one breach thereof. [G S r 1902 s 2122]

Appointment of truant officers; prosecutions.—Every town, and the mayor and aldermen of every city, having such by-laws, shall annually appoint three or more persons, who alone shall be authorized to prosecute for violations thereof. All warrants issued upon such prosecutions shall be returnable before any justice of the peace, or judge of the city or police court of the town or city. [G S r 1902 s 2123]

SCHOOL CENSUS

Enumeration of children from 4 to 16 in districts; names of employers.—The committee of each school district or, if they fail or are unable to do so, the clerk, shall annually in September ascertain the name and age of every person over four and under sixteen years of age who shall belong to such district, on the first Tuesday of said month, with the names of the parents or guardians of such persons. If any such persons are not attending school during said month of September, then the person making the enumeration shall ascertain the reason for such nonattendance and, if such persons are employed at labor, the names of their employers or of the establishments where they are employed. Returns shall be made to the school visitors of the town to which such district belongs, on or before the twenty-fifth of September * * *. If the return of enumeration is not made to the board of school visitors on or before said twenty-fifth of September, one of the school visitors or a person duly appointed by the board of school visitors shall make a complete enumeration before the fifteenth of October next following and return it to said school visitors * * *. [G S r 1902 s 2252 as amended by 1913 C 182]

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Enumeration of children from 4 to 16 in towns; names of employers.—Town school committees shall annually appoint one or more persons who shall, in September of each year, ascertain the name and age of every person over four and under sixteen years of age who shall belong to such town on the first Tuesday of said month. If any such persons are not attending school during said month of September, then the person making the enumeration shall ascertain the reason for such nonattendance and, if such persons are employed at labor, the names of their employers or of the establishments where they are employed. Returns shall be made to the town school committee on or before the twenty-fifth of September. * * * [G S r 1902 s 2255 as amended by 1913 C 182]

ALL OCCUPATIONS

EDUCATIONAL REQUIREMENTS

Evening school attendance required for employment of illiterate minors from 14 to 16 where evening school is maintained.—No person over fourteen and under sixteen years of age, who can not read and write, shall be employed in any town where public evening schools are established unless he can produce every school month of twenty days a certificate from the teacher of an evening school showing that he has attended such school eighteen consecutive evenings in the current school month, and is a regular attendant. Every person who shall employ a child contrary to the provisions of this section shall be fined not more than fifty dollars, and the State board of education shall enforce the provisions of this section as provided in section 4707. [G S r 1902 s 2147]

NOTE.—[The above section in so far as it relates to occupations for which an employment certificate is required is apparently superseded by section 2 of chapter 119 of the Acts of 1911.]

ELEVATORS

MINIMUM AGE

Employment under 16 prohibited; penalty.—No person, partnership, or corporation shall permit or employ a person under the age of sixteen years to have the care, custody, operation, or mangement of an elevator. Every person, partnership, or corporation violating any provision of this section shall forfeit not more than twenty-five dollars for each offense. [G S r 1902 s 2614]

NOTE.—[See section 3 of chapter 123 of the Acts of 1911.]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places, etc.; penalty.—No such licensed person [one licensed to carry on an employment agency] shall send or cause to be sent any female help or servants to a place of bad repute, house of ill fame, or assignation house, or to a house or place of amusement kept for immoral purposes. * * * Every person violating any provision of this chapter [s 4608–4614] shall be fined not more than one hundred dollars. [G S r 1902 s 4614]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty.—Every person, partnership, or corporation, employing females in any mercantile, mechanical, or manufacturing establishment shall furnish and provide suitable seats for the use of all females so employed, and shall permit the use of such seats by said females when they are not necessarily engaged in the active duties for which they are employed. Every person, partnership, or corporation violating any provision of this section shall be fined not more than fifty dollars. [G S r 1902 s 4703]

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement: appointment and duties of agents.[1] —It shall be the duty of the State board of education, and the school visitors, boards of education, and town school committees to enforce sections 4704, 4705, and 4706 [said sections are superseded by 1911 C 119]; and for that purpose the State board of education may appoint agents, under its supervision and control, for terms of not more than one year, who shall be paid not to exceed five dollars a day for time actually employed and necessary expenses, and whose accounts shall be approved by said board and audited by the comptroller. The agents so appointed may be directed by said board to enforce the provisions of the law requiring the attendance of children at school and to perform any duties necessary or proper for the due execution of the duties and powers of the board. [G S r 1902 s 4707]

Certain children from 14 to 16; penalty.—Whenever the school visitors, town school committee, or board of education of any town or district shall by vote decide, or whenever the State board of education shall ascertain that a child over fourteen and under sixteen years of age has not schooling sufficient to warrant his leaving school to be employed, and shall so notify the parent or guardian of said child in writing, the parent or guardian of said child shall cause him to attend school regularly during the days and hours that the public school in the district in which said parent or guardian resides is in session, and until the parent or guardian of said child has obtained from said board of school visitors, town school committee, or board of education, or from the State board of education, if the notice shall have been given by the said State board of education, a leaving certificate stating that the education of said child is satisfactory to said visitors, town school committee, or board of education, or to said State board of education, as the case may be: *Provided*, That said parent or guardian shall not be required to cause his child to attend school after the child is sixteen years of age. Each week's failure on the part of a person to comply with the provisions of this section shall be a distinct offense, punishable with a fine not exceeding five dollars, and the provisions of section 2117 [G S r 1902 s 2117] shall be applicable to all proceedings under this act. [1903 C 29 as amended by 1905 C 36]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment of deputy factory inspectors.—The [commissioner of labor and factory inspection] shall appoint eight deputies, two of whom shall be women, to assist him in the performance of his duties. Such deputies shall have the same power as the [commissioner], subject to his approval. * * * [1903 C 97 s 3 as amended by 1913 C 131]

Appointment of additional factory inspector.—The [commissioner of labor and factory inspection] shall, in addition to the deputy factory inspectors provided for by chapter 97 of the Public Acts of 1903 [1903 C 97], appoint, from time to time, on the recommendation of an advisory commission of three women appointed by the governor for that purpose as specified in section five of this act, a female deputy factory inspector, who shall hold office until her successor is appointed and qualified, unless removed by said [commissioner], for cause. * * * [1907 C 241 s 1]

Limitation of powers of female deputy factory inspector.—Said female deputy factory inspector shall inquire into the enforcement of the laws regulating the employment of women and girls in any manufacturing, mechanical, or mercantile establishment, investigate the conditions relating to the health and welfare of women and girls employed in such establishments, and report thereon to the [commissioner of labor and factory inspection] *Provided however*, That she shall have no power or authority over and no duty concerning any machinery, appliances, or fixtures except sanitary fixtures. [1907 C 241 s 2]

Duties and powers of female deputy factory inspector.—Said female deputy factory inspector shall have the same power and authority as the [commissioner of labor and factory inspection], except as to machinery, appliances, and fixtures, subject to his approval, and shall serve under the direction of said [commissioner], in all respects as other deputy inspectors. [1907 C 241 s 3]

[1] See chapter 119 of the Acts of 1911, relating to employment of children, which is also enforced by the same authorities.

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Advisory commission for appointment of inspector.—The governor shall, on or before the first day of August, 1907, appoint three women, no two of whom shall be residents of the same town, who shall constitute an advisory commission for the appointment of a female deputy factory inspector and shall serve for two, four, and six years respectively; and biennially thereafter the governor shall appoint one member of said commission to serve for the term of six years. It shall be the duty of said commission to recommend to the [commissioner of labor and factory inspection] some woman for appointment as female deputy factory inspector, such recommendation to be made on or before October 1, 1907, and thereafter whenever a vacancy shall occur in said office. [1907 C 241 s 5]

RAILROADS [1]

HOURS OF LABOR

Eight hours a day for certain telegraph and telephone operators; exceptions.—It shall be unlawful for any person, persons, corporation, or receiver operating a line of railroad wholly or partly within this State, or any officer, agent, or representative of such corporation or receiver, to require or permit any telegraph or telephone operator, who spaces trains by the use of the telegraph or telephone, under what is known and termed the "block system," defined as follows: Reporting trains to another office or officers, or to a train dispatcher operating one or more trains under signals, and telegraph or telephone levermen who manipulate interlocking machines in railroad yards or on main tracks out on the lines connecting side tracks or switches, or train dispatchers in its service whose duties substantially, as hereinbefore set forth, pertain to the movement of cars, engines, or trains on its railroad by the use of the telegraph or telephone in dispatching or reporting trains or receiving or transmitting train orders, as interpreted in this section, to be on duty for more than eight hours in a day of twenty-four hours, and it is hereby declared that eight hours shall constitute a day of employment for all laborers or employees engaged in the kind of labor aforesaid: *Provided*, That at stations that are kept open only during the daytime, where only one telegraph or telephone operator is employed, such operator may work twelve hours in a day of twenty-four hours, and that the hours of service of telegraph or telephone operators, as interpreted in this section, shall be consecutive, including one meal hour: *And provided further*, That in case of sickness, death, wrecks, or washouts, telegraph or telephone operators may be held on duty not to exceed sixteen hours in a day of twenty-four hours. [1907 C 242 s 1]

Penalty.—Any person or persons, company, or corporation, who shall violate any of the provisions of the preceding section shall, on conviction, be fined not more than one thousand dollars. [1907 C 242 s 2]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

HOURS OF LABOR

Ten hours a day, 55 a week for children under 16 and women in manufacturing and mechanical establishments; hours to be posted.—No minor under sixteen years of age and no woman shall be employed in any manufacturing or mechanical establishment more than ten hours in any day, or fifty-five hours in any calendar week. Every employer in such establishment shall post in a conspicuous place in every room where such persons are employed a notice, the form of which shall be furnished by the factory inspector, specifically stating the hours of work required of them on each day of the week, and the employment of any such person for a longer time on any day than so stated shall be a violation of this section. [1909 C 220 s 1 as amended by 1913 C 179]

Fifty-eight hours a week for children under 16 and women in mercantile establishments; Christmas week excepted under certain conditions; hours to be posted.—No minor under sixteen years of age and no woman shall be employed in any mercantile establishment, other than manufacturing or mechanical, more than fifty-eight hours in any calendar week, provided any employer who shall, during each year, give not less than seven holidays with pay, shall be exempt from the provisions of this section during the period from the seventeenth to the twenty-fifth day of December of each year. Every employer in such an establishment shall post in a conspicuous place in every room where such persons are employed a notice, the form of which shall be furnished by the factory inspector, stating specifically the hours of work required of such persons

[1] See court decision on page 7 (New York).

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on each day of the week, and the employment of any such person for a longer time on any day than so stated shall be a violation of this section. [1909 C 220 s 2 as amended by 1913 C 179]

Night work prohibited for boys under 16 and girls of any age; exceptions.—No person under sixteen years of age shall be employed in any manufacturing or mechanical establishment after six o'clock in the afternoon; and no such minor shall be employed in any mercantile establishment after six o'clock in the afternoon on more than one day in each calendar week, except during the period from the seventeenth to the twenty-fifth day of December of each year; and no such minor and no female over sixteen years of age shall be employed in any such establishment after ten o'clock in the evening. [1909 C 220 s 3 as amended by 1913 C 179]

Enforcement: duties of commissioner of labor and factory inspection.—It shall be the duty of the [commissioner of labor and factory inspection] to examine and inquire into the employment of minors and women in the establishments described in this act, and to investigate all complaints of violations hereof, and to report all cases of such violation to the prosecuting officer having jurisdiction thereof. The [commissioner of labor and factory inspection] shall, on or before the first day of December in each year, make a report to the governor of the number of such violations so reported by him, and of the prosecutions instituted thereon. [1909 C 220 s 4]

Penalty.—Every person who wilfully employs, or has in his employment or under his charge, any person in violation of section one, two, or three of this act, and every parent or guardian who permits any such minor to be so employed, shall be fined not more than twenty dollars for each offense. [1909 C 220 s 5]

Application of act.—Nothing in this act shall be construed as repealing any provision of section 2116 of the General Statutes or any amendments thereto. [1909 C 220 s 6]

MINIMUM AGE

Employment under 14 prohibited; penalty.—No child under fourteen years of age shall be employed in any mechanical, mercantile, or manufacturing establishment. Every person, whether acting for himself or as agent for another, who shall employ or authorize or permit to be employed any child in violation of the provisions of this section shall be fined not more than one hundred dollars. [1911 C 119 s 1]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required from 14 to 16; issued by school authorities; age, school, and health records required; records of issuing office; penalty.—No child under sixteen years of age shall be employed in any mechanical, mercantile, or manufacturing establishment unless the employer of such child shall have first obtained a certificate, signed by the secretary or an agent of the State board of education, or by a school supervisor, school superintendent, supervising principal, or acting school visitor designated by said board, stating the date of the birth of such child, showing that such child is over fourteen years of age, and stating that such child is able to read with facility, to legibly write simple sentences, and to perform the operations of the fundamental rules of arithmetic with relation both to whole numbers and to fractions, and does not appear to be physically unfit for employment. Such certificate shall be in the form prescribed and upon a blank furnished by the State board of education, and shall be issued in triplicate; and one copy thereof shall be delivered to the parent or guardian of such child, one copy shall be delivered to the employer, and one copy shall be deposited in the office of the State board of education. Copies of such certificate shall be obtainable from the State board of education, upon application, at any time. The copy of such certificate delivered to the parent or guardian of the child may be accepted by the employer as a temporary certificate, good for one week, after which time it shall be returned to the parent or guardian of such child. Every person, whether acting for himself or as agent for another, who shall employ or shall authorize or permit to be employed any child in violation of the provisions of this section, shall be fined not more than one hundred dollars. The secretary or the agent of the State board of education or the school supervisor, school superintendent, supervising principal, or acting school visitor to whom application shall be made for a certificate as provided in this section, shall have power to require all statements of fact offered in support of such application to be made under oath and such oath may be administered by said secretary, or such agent, school supervisor, school superintendent, supervising principal, or acting school visitor, and said secretary, or any such agent, school supervisor, school superintendent, supervising principal, or acting school visitor may cause any child

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to be examined by a reputable physician, for the purpose of aiding him in determining whether such child is physically fit for employment, and may charge the expense of such physical examination against the State as a part of his expenses. [1911 C 119 s 2]

Employer to notify State board of education of commencement and termination of employment; penalty.—Every employer receiving a certificate issued under the provisions of this act shall promptly notify the State board of education, in writing, in the form prescribed and upon a blank furnished by said board, of the time of commencement of the employment of any child thereunder and, whenever such employment terminates before such child attains the age of sixteen years, of the time of the termination of such employment. Every person violating any provision of this section shall be fined not more than ten dollars. [1911 C 119 s 3]

Employer to keep certificates and list open to inspection; penalty.—Every employer or other person having control of any establishment or premises where children under sixteen years of age are employed who shall neglect to have and keep on file the certificate described in section two of this act or to show the same, with a list of the names of such children so employed, to the secretary or an agent of the State board of education, when demanded during the usual business hours, shall be fined not more than one hundred dollars. [1911 C 119 s 5]

ENFORCEMENT

Duties and powers of school authorities.—The provisions of section 4707 of the General Statutes [G S r 1902 s 4707] shall be applicable to sections one, two, and three of this act. * * * [1911 C 119 s 6]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery.—No child under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines: Circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery; picker machines or machines used in picking wool, cotton, fur, hair, or any upholstery material; paper-lace machines; burnishing machines in any tannery or leather manufactory; job or cylinder printing presses having motor power other than foot; wood turning or boring machinery; stamping machines used in sheet metal and tinware manufacturing or in washer or nut factories; machines used in making corrugating rolls; dough brakes or cracker machinery of any description; wire or iron straightening machinery; rolling mill machinery; power punches or shears; washing, grinding, or mixing machinery; calendar [calender] rolls in rubber manufacturing; or laundering machinery. [1911 C 123 s 1]

Specific occupations prohibited under 16; cleaning machinery with power attached, dangerous processes, places where alcoholic liquors are manufactured, mines, etc.; constant standing prohibited for girls under 16.—No child under sixteen years of age shall be employed or permitted to work in adjusting or assisting in adjusting any belt upon any machine, or in oiling or assisting in oiling, wiping, or cleaning machinery, while power is attached, or in preparing any composition in which dangerous acids are used, or in soldering, or in the manufacture or packing of paints, dry colors, red or white lead, or in the manufacture, packing, or storing of gun or blasting powder, dynamite, nitro-glycerine, compounds, safety fuses in the raw or unvarnished state, electric fuses for blasting purposes, or any other explosive, or in or about any distillery, brewery, or other place where alcoholic liquors are manufactured, packed, wrapped, or bottled, or in the manufacture or use of any dangerous or poisonous gas or dye, or composition of lye in which the quantity thereof is injurious to health, or upon any scaffolding, or in any heavy work in any building trade or in any tunnel, mine, or quarry, or in operating or assisting to operate any emery, stone, or buffing wheel; and no female under sixteen years of age shall be employed or permitted to work in any capacity requiring such female to stand continuously. [1911 C 123 s 2 as amended by 1915 C 195]

Employment under 18 prohibited on certain elevators.—No person under eighteen years of age shall be employed or permitted to have the care, custody, or management of or to operate an elevator, either for freight or passengers, running at a speed of over two hundred feet per minute. Nothing in this section shall be construed as repealing section 2614 of the General Statutes. [1911 C 123 s 3]

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Enforcement: duties of commissioner of labor and factory inspection.—It shall be the duty of the [commissioner of labor and factory inspection] to enforce the provisions of this act, to investigate all complaints of violations thereof, and to report all cases of such violation to the prosecuting officer having jurisdiction. The [commissioner of labor and factory inspection] shall, on or before the first day of December in each year, make a report to the governor of the number of such violations found and the number of prosecutions instituted thereon. [1911 C 123 s 4]

Penalty.—Every person, whether acting for himself or as agent for another, who shall employ or authorize or permit to be employed any child in violation of any of the provisions of this act shall be fined not more than one hundred dollars. [1911 C 123 s 5]

COMMERCIAL OCCUPATIONS AND INDUSTRIAL PROCESSES

HOURS OF LABOR

One day of rest in seven; exceptions.—Except in cases of emergency, it shall be unlawful for any person to require or permit any employee engaged in any commercial occupation or in the work of any industrial process to do any work of his occupation on Sunday unless such employee shall be relieved from work for one full regular working day during the six days next ensuing. [1911 C 162 s 1]

Application of act; exceptions.—This act shall not be construed as authorizing any work on Sunday not now authorized by law; nor as applying to farm or personal service, to druggists, watchmen, superintendents or managers, janitors, or persons engaged solely in transportation, nor to the sale or delivery of milk, food, or newspapers, nor to such commercial occupations or industrial processes as by their nature are required to be continuous; nor as prohibiting the doing of necessary work of inspection, repair, or care of any manufacturing or other plant or of any merchandise or stock on Sunday. [1911 C 162 s 2]

Penalty.—Any person violating any provision of this act shall be fined not more than two hundred dollars for each offense. [1911 C 162 s 3]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors in saloons prohibited; application of act.—No person shall employ any minor as bartender, porter, or in any other capacity in any saloon where spirituous and intoxicating liquors are kept for sale, or in the handling or delivery of any such liquors. This act shall not apply to bona fide grocery stores which handle liquors as incidental to the carrying on of such stores nor to drug stores and bona fide hotels, but its provisions shall apply to and include minors who are members of the family of any licensed person. [1913 C 11 s 1]

Penalty.—Every person who shall violate the provisions of this act shall be subject to the penalties of section 2712 of the General Statutes [quoted below]. [1913 C 11 s 2]

Penalty.—Every person convicted of a first violation of any of the provisions of the laws relating to the sale of spirituous and intoxicating liquors shall be fined not less than ten nor more than two hundred dollars; on every subsequent conviction such person shall be fined as aforesaid, or imprisoned not less than ten days nor more than six months, or both. [G S r 1902 s 2712]

Enforcement: duties and powers of prosecuting agents.—The county commissioners of each county shall appoint one or more persons residing therein, subject to the approval of a judge of the superior court, to be prosecuting agents, whose duty it shall be diligently to inquire into and prosecute all violations of the laws relating to the sale of spirituous and intoxicating liquors, who shall have and exercise in any town or city in said county the powers of grand jurors or prosecuting officers in all prosecutions for such violations, and may conduct such prosecutions personally or by attorney. * * * [G S r 1902 s 2715]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

EMPLOYMENT CERTIFICATES

Vacation certificates may be granted children from 14 to 16; physical requirements.—Any child in good physical condition, between fourteen and sixteen years of age, on application in person to the secretary or an agent of the State board of education for a certificate of employment, shall be granted a temporary or vacation certificate, permitting the employment of said child during the summer vacation. [1913 C 211]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 18 in pool rooms, etc., prohibited; penalty.— * * * any proprietor or keeper of such [1] public billiard or pool room * * * who shall, at any time, permit any person under eighteen years of age to loiter in or about such room, or who shall employ any person under eighteen years of age in or about such room, shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both. [1915 C 182 s 2]

Enforcement: powers of sheriffs, police officers, etc.; penalty for hindering enforcing officer.—Any sheriff, deputy sheriff, constable, or police officer may at any time enter a public billiard or pool room for the purpose of ascertaining if the law is being violated therein, and any person who obstructs or hinders the entrance of any such officer shall be fined not more than seven dollars, or imprisoned not more than thirty days, or both. [1915 C 182 s 4]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement: appointment and duties of attendance officers.—Any board of education, town school committee, district committee of an incorporated district, joint board of selectmen and school visitors, or board of school visitors, may appoint one or more attendance officers and fix their compensation. Each such officer shall be sworn to the faithful performance of his duties and shall be under the direction of the principal or superintendent of schools of the town or district wherein he resides. He shall investigate the absence or irregular attendance of pupils from school, cause such pupils as are absent or irregular in attendance to attend school regularly, and present cases requiring prosecution for violation of the school laws to prosecuting officers. [1915 C 210]

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[1] The law applies to any public billiard or pool room.

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DELAWARE

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Attendance of every child may be required by law; exceptions.—The general assembly shall provide for the establishment and maintenance of a general and efficient system of free public schools, and may require by law that every child, not physically or mentally disabled, shall attend the public school, unless educated by other means. [Constitution article 10 s 1].

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Child labor commission abolished and labor commission established.—The Delaware child labor commission shall be abolished and the terms of office, rights, powers and duties of the members of the said Delaware child labor commission are hereby and shall be abolished, ended and terminated. A commission is hereby created and established with the powers and duties hereinafter provided, which shall be known as the "Labor Commission of Delaware." The said commission shall consist of five members, one of whom shall be appointed from among the bona fide residents of New Castle county, one from among the bona fide residents of Kent county, and one from among the bona fide residents of Sussex county; the remaining two shall be appointed at large from among the bona fide residents of the State of Delaware. On or before the first day of April, A. D. 1915, the governor shall appoint the members of the said labor commission of Delaware provided herein, as follows: One member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years and one member for a term of five years. The term of office, after the first appointments made hereunder shall be for five years, and annually, on or before the first day of April, the governor shall appoint a suitable person to fill the vacancy caused by the expiration of the

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term of office. In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term. [Revised Code 1915 Chapter 38 section 987 as amended by 1915 C 66]

Compensation; chairman; secretary.—The members of the commission shall receive no salary for their services. They shall annually elect one of their number as chairman of the said commission and may appoint a person not a member of the commission as secretary who may receive a salary not exceeding one hundred dollars per annum. [R C 1915 C 38 s 988 as amended by 1915 C 66]

Power to appoint officials, etc., to enforce child labor laws and laws regulating labor of women; quarterly report to be made to commission.—The commission shall have power and authority by a majority vote of the whole commission to make all appointments of officials or employees which may be under any law relating to the condition, regulation or inspection of labor of minor children, or the condition, regulation or inspection of labor of females in the State of Delaware. The officers or employees so appointed shall make quarterly reports to the commission. When, in the opinion of the majority of the whole commission, any official or employee appointed or engaged by the commission shall not perform his or her duty in a satisfactory and efficient manner, the commission shall have the power to remove the said official or employee and to appoint a new official or employee in his or her stead: *Provided however*, That no official shall be removed from office until such official shall have had a fair and impartial public hearing, and shall have been furnished with a copy of the charges and specifications of complaints upon which the action of the commission shall have been based, if such charges and specifications be requested [R C 1915 C 38 s 989 as amended by 1915 C 66]

Annual report of commission.—The commission shall furnish annually to the governor during the first week in January a full account of their expenditures, disbursements, and action[s]. Such report shall at all times be open to the inspection of the citizens of the State in the office of the secretary of State. [R C 1915 C 38 s 990 as amended by 1915 C 66]

Labor commission to formulate certificates for employment certificates, etc.; power to appoint child labor inspector.—The labor commission of Delaware shall formulate and have printed certificates and papers required in the issuing of employment certificates and the abstracts of the law relating to the hours of child labor and the conditions and hours of females in this State. The said commission shall have the power to appoint and fill vacancies in the office of the State child labor inspector, as provided by section 91 of chapter 90, of said Revised Code of the State of Delaware, and to appoint and fill vacancies in the office of the inspector as provided by section 39 of the said chapter 90 of the Revised Code of the State of Delaware. [R C 1915 C 38 s 992 as added by 1915 C 66]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Endangering life or health of minor; penalty.—Whoever * * * having the care or custody of any child, shall willfully cause or permit such child to be placed in such a situation that its life may be endangered or its health shall be likely to be injured, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace or court of record shall be fined not less than ten dollars or more than one hundred dollars for each and every offense. * * * [R C 1915 C 70 s 2222]

Employment under 15 in rope walking, dancing, etc., and of any minor child in injurious or immoral occupations, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody, or control of any minor child under the age of fifteen years who shall in any manner sell, apprentice, give away, or otherwise dispose of such minor, or any person who shall take, receive, or employ such child, for the vocation or occupation of rope or wire walking or dancing, or as an acrobat or gymnast, or any person who, having the care, custody, or control of any minor child whatsoever, shall sell, apprentice, give away, or otherwise dispose of such minor, or who shall take, receive, or employ such minor, for begging or any obscene, indecent, or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, or any person who shall retain, harbor, or employ any minor child in or about any assignation house or brothel, shall be deemed guilty of a misde-

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meanor, and upon conviction thereof before any justice of the peace or court of record shall be fined not less than twenty dollars nor more than one hundred dollars for each and every offense. [R C 1915 C 70 s 2223]

Enforcement: duties of constables, etc.—Whenever any person shall, before a justice of the peace, make oath or affirmation that the affiant believes that sections * * * [2222 and 2223] of this chapter have been or are being violated in any place or house, such justice shall forthwith issue a warrant to a constable or other authorized officer to enter such place or house and investigate the same; and such person may arrest or cause to be arrested all offenders and bring them before any justice or court of record for a hearing of the case; and it shall be the duty of all constables and policemen to aid in bringing all such offenders before said authorities for a hearing. [R C 1915 C 70 s 2224]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 14; exemptions.—Every parent, guardian or other person in this State having control of a child or children between the ages of seven and fourteen years shall be required to send such child or children to a day school, in which the common English branches are taught; and such child or children shall attend such school continuously for at least five months each year during the time in which the public school in their respective districts shall be in session, beginning not less than one month after the opening of said school, unless such child or children shall be excused from attendance by a majority of the commissioners of the school district in which the parent, guardian or other person resides, upon the presentation to said commissioners of satisfactory evidence showing such child or children are prevented from attendance upon school or application to study by mental, physical or other urgent reasons, and such excuse must be countersigned by the county superintendent of the county in which such district is located, but the urgent reasons shall be strictly construed and shall not permit of irregular attendance. Each school district shall have power each year at its regular annual meeting to reduce the period of compulsory attendance to not less than three months, in which case the school meeting must at that date fix a time for compulsory attendance to begin, but such date shall not be later than January second of each school year. * * * In case there be no public school in session within two miles by the nearest traveled road of any person within the school district, he or she shall not be liable to the provisions of sections * * * [2313–2321], inclusive, of this chapter, unless a free conveyance is provided. Said mentioned sections shall not apply to any child that has been or is being otherwise instructed in English in the common branches of learning for a like period of time in any private school, or by any legally qualified governess or private teacher in a family, or by any other means which shall be approved by the county superintendent of the proper county. Every principal or teacher of any private school or educational institution shall report nonattendance as provided in section * * * [2317] of this chapter. The certificate of any principal or teacher of a private school or of any institution for the education of children in which the common English branches are taught, setting forth that the work of said school is in compliance with the provisions of sections * * * [2313–2321], inclusive, of this chapter, shall be sufficient and satisfactory evidence thereof * * *. [R C 1915 C 71 s 2313]

Penalty; teacher, parent, etc.—For every neglect of duty imposed by section * * * [2313] of this chapter, the principal or teacher or person in parental relation offending, shall be guilty of a misdemeanor, and shall, upon conviction thereof before a justice of the peace, magistrate, or alderman, forfeit a fine not exceeding two dollars on first conviction, and a fine not exceeding five dollars for each subsequent conviction, and in default of payment of said fine, the defendant may be committed to the county prison for a period not exceeding two days for the first conviction, and for a period not exceeding five days for each subsequent conviction. Upon conviction the defendant or defendants may appeal to the court of general sessions of the proper county within fifteen days, upon entering into recognizance with one surety for the amount of fines and costs. Before such action shall be brought for any of the aforesaid penalties, the parent, guardian or other person liable therefor, shall be notified in writing by the county superintendent of schools, or such person as he shall designate, of such liability, and shall have opportunity, by compliance with the requirements of sections * * * [2313–2321], inclusive, of this chapter, within three school days then and thereafter to avoid the imposition of such penalty. The mailing of such notice to the usual address of the offending party shall be deemed sufficient under said mentioned sections. But after such notice has been given, if the same child is absent from school three days or

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their equivalent in time during the remaining period of compulsory attendance, without excuse as provided in section * * * [2313] of this chapter, the parent, guardian or person in parental relation, shall be liable to prosecution under said mentioned sections without further notice. * * * [R C 1915 C 71 s 2314]

Enforcement: appointment, duties, and powers of attendance officers.—Boards of education and school committees may, in all districts, employ one or more persons to be known as "attendance officers" whose duty shall be, in addition to the duties provided by sections * * * [2316, 2317, and 2318] of this chapter, to look after, apprehend and arrest without warrant, truants and others who fail to attend school in accordance with the provisions of sections * * * [2313–2321], inclusive, of this chapter. When an attendance officer arrests or apprehends any truant or other person, as herein set forth, he shall have power immediately to place him or her in the school in which he or she is or should be enrolled, or at the expense of the parent, guardian or person in parental relation, in such private school as provided by section * * * [2313] of this chapter, as the parent, guardian or person in parental relation may select. And in case the parent, guardian or person in parental relation shall refuse or neglect immediately to select such school, the school commissioners or secretary for school commissioners shall have full power to designate the school in which the child shall be placed. * * * [R C 1915 C 71 s 2315]

SCHOOL CENSUS

Enumeration of children from 7 to 14.—It shall be the duty of the assessors when making each assessment of property for taxation for school purposes, when not notified and directed to the contrary by the school commissioners, to make in a substantial book, provided by the county superintendent of schools at the expense of the State for that purpose, a careful and correct list of all children between the ages of seven and fourteen years within his district, giving the full name, date of birth, age, sex, race, estimated distance from schoolhouse by nearest traveled road, name and address of parent, guardian or person in parental relation; which enumeration, after approval by the secretary of the said school district, shall be sent on or before the first day of September by the assessor to the county superintendent of schools of the county in which the enumeration is made. * * * It shall be the duty of the said county superintendent of schools to forward to the principal teacher of the proper school district prior to September fifteenth in each year, a list of all children in his or her district who are subject to the provisions of sections * * * [2313–2321], inclusive, of this chapter. The attendance officer, if there be any, or the county superintendent of schools or the secretary or clerk of the school commissioners, or principal teacher, shall have authority to make any additions or corrections to the assessor's list aforesaid for the purpose of carrying into effect the provisions of said mentioned sections. [R C 1915 C 71 s 2316]

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of teachers.—It shall be the duty of each teacher of the school district, as soon as any pupil who comes under the provisions of this law has been absent three days or their equivalent during the compulsory period, to report such absence to the parent or guardian of the pupil, to the county superintendent and to the attendance officer, if there be one; when, if it shall appear that any parent, guardian or other person having control of any child or children shall have failed to comply with the provisions of sections * * * [2313–2321], inclusive, of this chapter, after notification in writing as provided in section * * * [2314], the county superintendent, or such attendance officer as he shall direct, shall proceed in the name of the State under authority of the commissioners of the local district affected, against the offending party or parties in accordance with the provisions of said mentioned sections. * * * [R C 1915 C 71 s 2317]

PENALTIES

Violation of act.—The assessor of school taxes, principal, teacher, secretary or attendance officer, if there be one, of any board of commissioners, who willfully neglects or refuses to comply with the provisions of * * * [s 2313–2321], inclusive, of this chapter, shall, upon complaint lodged by the county superintendent of schools, be guilty of a misdemeanor and upon conviction thereof before an alderman, magistrate or justice of the peace, shall forfeit or pay a fine not exceeding twenty-five dollars, subject to the right of appeal to the court of general sessions of the proper county within fifteen days upon entering into recognizance with one surety for the amount of fines and costs. [R C 1915 C 71 s 2318]

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REGULATED OCCUPATIONS

EMPLOYMENT CERTIFICATES, PERMITS, AND BADGES

School authorities to issue certificates, etc.—The county superintendents of public schools and the superintendent of public schools of the city of Wilmington, or some person designated by them, shall issue employment certificates, permits and badges, and the principals or chief executives of the several public schools shall make out and sign school records, required by the laws regulating child labor, as provided by * * * [s 3144–3192] of chapter 90. [R C 1915 C 71 s 2325]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Ten hours a day, 55 a week, 8 a night for night work; certain canning industries exempted; exception.—No female shall be employed or permitted to work in any mercantile, mechanical or manufacturing establishment, laundry, baking or printing establishment, telephone and telegraph office or exchange, more than ten hours in any one day, or more than fifty-five hours in any one week. If any part of a female's daily employment is performed between the hours of eleven o'clock p. m. and seven o'clock a. m. of the following day, no such female shall be employed or permitted to work thereat, more than eight hours in any twenty-four hours. The provisions of sections * * * [3135–3143], inclusive, of this chapter, shall not apply to females employed in the canning or preserving or preparation for canning or preserving of perishable fruits and vegetables. And said female may be permitted to work twelve hours in one day only of each week, if her total hours of employment for any week shall not exceed fifty-five hours. [R C 1915 C 90 s 3135]

Total number of hours when employed by more than one employer not to exceed legal maximum.—Where a female is employed in the same day or week by more than one concern or employer in any establishment or occupation named in section * * * [3135] of this chapter, the total time of employment must not exceed that allowed per day or week in a single establishment or occupation. It shall be the duty of the employer to make diligent inquiry as to such previous or other employment of such female employee elsewhere, and as to the hours of such employment. Any person who shall require or permit a female to work in excess of the total time of employment permitted by this chapter shall be liable for a violation thereof, and the employment of such female employee in excess of the total time of employment permitted by law shall be presumed, in the absence of evidence to the contrary, to be with knowledge of such violation. [R C 1915 C 90 s 3136]

Maximum of 6 consecutive hours; exception.—No female shall be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in section * * * [3135] of this chapter, without an interval of at least three-quarters of an hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half past one o'clock in the afternoon and if she is then dismissed for the remainder of the day. [R C 1915 C 90 s 3137]

Hours to be posted.—Every employer shall post and keep posted in a conspicuous place in every room in any establishment or occupation named in section * * * [3135] of this chapter, in which any females are employed, a printed notice stating the number of hours such females are required or permitted to work on each day of the week, the hours of beginning and stopping such work, and the hours of beginning and ending the recess allowed for meals. The printed form of such notice shall be furnished by the said inspector. The employment of such female for a longer time in any day than that stated in the printed notice shall be deemed a violation of the provisions of sections * * * [3135–3143], inclusive, of this chapter. The presence of any such female on the premises at any other hours than those stated in the printed notice shall constitute prima facie evidence of a violation of said sections. Where the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females employed, the inspector authorized to enforce said sections may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females are required or permitted to work on each day of the week and the hours of beginning and stopping such work. Such permit shall be kept by

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such employer upon such premises and exhibited to all inspectors authorized to enforce said sections. [R C 1915 C 90 s 3138]

ENFORCEMENT AND PENALTY

Appointment of inspector.—The labor commission of Delaware is authorized and directed, on or before the first day of May, A. D. 1915, and every four years thereafter, to appoint one inspector to carry out the purposes of sections * * * [3135–3143], inclusive, of this chapter. * * * The inspector provided for in this section shall be an assistant to the child labor inspector and shall be under the jurisdiction of the labor commission of Delaware as provided in * * * [R C 1915 C 38 s 989 as reenacted by 1915 C 66]. [R C 1915 C 90 s 3139 as amended by 1915 C 220]

Powers of inspector.—The inspector authorized by section * * * [3139] of this chapter, may in the discharge of the inspector's duties enter any place, building or room where any labor is being performed by females which is affected by the provisions of sections * * * [3135–3143], inclusive, of this chapter, whenever such inspector may have reasonable cause to believe that any such labor is being performed therein. [R C 1915 C 90 s 3140]

Duties of inspector; annual reports to board of health.—The said inspector shall visit and inspect the establishments and places of employment named in section * * * [3135] as often as practicable, during reasonable hours, and shall cause the provisions of sections * * * [3135–3143], inclusive, of this chapter, to be enforced therein, and shall report any cases of illegal employment, contrary to the provisions of said sections, to the attorney general; the said inspector shall report in writing, at least once every year to the State board of health. The said report shall show: 1. The number of establishments in the State where females are employed. 2. The number of females employed. 3. The number of inspection visits made. 4. The number of violations. 5. The number and dispositions of prosecutions under said sections, and in addition thereto, any matters in the knowledge of the said inspector pertinent to the purpose and enforcement of said sections. The State board of health shall incorporate such report or reports in its regular biennial printed report. [R C 1915 C 90 s 3141]

Penalty.—Whoever violates or does not comply with any of the provisions of sections * * * [3135–3143], inclusive, of this chapter, shall upon conviction be punished for a first offense by a fine of not less than twenty dollars nor more than fifty dollars; for a second offense, by a fine not less than fifty dollars nor more than two hundred dollars; for a third offense by a fine of not less than two hundred and fifty dollars. [R C 1915 C 90 s 3142]

Constitutionality of act.—The invalidity of any portion of sections * * * [3135–3143], inclusive, of this chapter, shall in no way affect the validity of any other portion thereof, which can be given effect without such invalid part. [R C 1915 C 90 s 3143]

CANNING INDUSTRIES

MINIMUM AGE

Employment under 12 prohibited; establishments canning or packing perishable fruits and vegetables excepted.—No child under twelve years of age shall be employed, permitted or suffered to work in, about or in connection with any canning or packing establishment other than those engaged in canning or packing perishable fruits and vegetables. [R C 1915 C 90 s 3144]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations and in tenement houses, messenger service, etc.—No child under fourteen years of age shall be employed, permitted or suffered to work in, about or in connection with any (1) mill, (2) factory, (3) workshop, (4) mercantile or mechanical establishment, (5) tenement-house, [sic] manufactory or workshop, (6) office, (7) office building, (8) restaurant, (9) boarding-house, (10) bakery, (11) barber shop, (12) hotel, (13) bootblack stand establishment, (14) public stable, (15) garage, (16) laundry, (17) or as a driver, (18) or in any brick or lumber yard, (19) or in the construction or repair of buildings, (20) or in the transmission of messages. [R C 1915 C 90 s 3145]

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ALL OCCUPATIONS

MINIMUM AGE

Employment under 14 during school hours prohibited.—It shall be unlawful for any person, firm or corporation to employ, permit or suffer to work any child under fourteen years of age in any business or service whatever during any of the hours when the public schools of the district in which the child resides are in session under the provisions of any compulsory school law of the State. [R C 1915 C 90 s 3146]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE AND SPECIAL PERMITS

Specific occupations prohibited under 14; machinery, etc.—No child under the age of fourteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: (1) Adjusting any belt to any machinery, (2) sewing or lacing machine belts in any workshop or factory, (3) oiling, wiping or cleaning machinery in motion or assisting therein; (4) operating or assisting in operating any of the following machines: (a) Circular or hand [sic] saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood turning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tin-ware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calendar [calender] rolls in paper and rubber manufacturing; (x) laundering machinery; (5) or in proximity to any hazardous or unguarded belts, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic; (7) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State. [R C 1915 C 90 s 3147]

Specific occupations prohibited under 15; dangerous processes, mines, etc.; permits required for appearance of children under 16 in theatrical exhibitions.—No child under the age of fifteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any process in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in occupations causing dust in injurious quantities; (4) nor in the manufacture or use of dangerous or poisonous dyes; (5) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (6) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (7) nor on scaffolding; (8) nor in heavy work in the building trades; (9) nor in any tunnel or excavation; (10) nor in, about or in connection with any mine, coal breaker, coke oven or quarry; (11) nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child; (12) nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show: *Provided however*, That the State child labor inspector may issue a permit allowing a child under age to appear in connection with theatrical performances or other exhibitions or shows for a period not exceeding two weeks, when, in his opinion, such permit is justified by the evidence presented to him. [R C 1915 C 90 s 3148]

REGULATED OCCUPATIONS

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required under 16; lists of boys under 16 and girls under 18 to be posted.—No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in sections * * * [3144, 3145, and 3146] of this chapter, unless the person, firm or corporation

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employing such child procures or keeps on file, and accessible to the State child labor inspector, the employment certificate as hereinafter provided, issued to said child; and keeps two complete lists or card indices of the names, together with the ages of all boys under sixteen years of age and all girls under eighteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed; and unless such employment, permission or sufferance to work in, about or in connection with said establishments or occupations shall be in accordance with the terms and regulations laid down for said employment certificates as hereinafter provided, which employment certificates and lists shall be produced for inspection of the State child labor inspector at all reasonable times upon his request. [R C 1915 C 90 s 3149]

Certificates to be returned to issuing office; records of issuing office; new certificates.—On termination of the employment of a child under sixteen years of age, the employment certificate issued to such child shall be returned by registered mail by the employer to the official issuing the same within twenty-four hours if said return is demanded by said child and otherwise within fifteen days of the termination of said employment; and the official to whom said certificate is so returned shall file said certificate and preserve the same, and on the return of said certificate shall notify the State child labor inspector. Any child whose employment certificate has been returned as above provided shall be entitled to a new certificate without reexamination, and such reissue of a certificate shall be subject to all the conditions as to recording and reporting governing the original issue. [R C 1915 C 90 s 3150]

School authorities to issue certificates; exceptions; method of issuing; general and vacation certificates.—An employment certificate shall be issued either by the superintendent of public schools of the city of Wilmington or one of the superintendents of the public schools of either of the counties of this State, or by some person designated in writing by one of said superintendents. Such designation in writing may be revoked by the superintendent giving the same at any time at his pleasure. The said superintendents, upon designating in writing an authority to some other person to issue said employment certificates, shall upon said designation, immediately notify the State child labor inspector of said designation, and upon revoking any such designation, said superintendent shall immediately notify the State child labor inspector of said revocation. The State child labor inspector shall at all times keep on file in his office a list of all persons designated in writing by any said superintendents as having authority to issue said employment certificates and of the revocations of said designation. The employment certificate shall be issued only upon the application in person of the parent, guardian or legal custodian of the child desiring such employment, or if said child have no parent, guardian or legal custodian, then by next friend, but no certificate shall be issued by any person for any child then in, or about to enter such person's own employment, or the employment of a firm or corporation in [of] which said person is a member, officer or employee. Employment certificates shall be of two classes; general employment certificates and vacation employment certificates. General employment certificates shall entitle the child to work during the entire year; vacation employment certificates shall entitle the child to work during the entire year, excepting such days thereof as said child is required to attend public or private schools under the provisions of the laws now in force, or hereafter to be enacted. [R C 1915 C 90 s 3151]

Age, school, and health records required.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers, duly executed, viz.:

1. The school record of such child properly filled out and signed, as provided in section * * * [3155] of this chapter.

2. A certificate signed by a physician appointed by the public school board or committee of the district wherein said child resides, stating that such child has been examined by him and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between twelve and sixteen years of age may be legally employed.

3. Evidence of age showing that the child is twelve years old or upwards, which shall consist of one of the following proofs of age, and shall be required in the order herein designated as follows: (a) A duly attested transcript of the birth certificate filed according to law with a board of health or other board or officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child. (b) A passport or a duly attested transcript of a certificate of baptism

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showing the date of birth and place of baptism of such child. (c) In case none of the above proofs of age can be produced, other documentary evidence of age which shall appear to be satisfactory to the officer issuing the certificate (aside from the school record of such child or the affidavit of parent, guardian or custodian), may be accepted in lieu thereof. In such case a school census or enumeration record, duly attested, may be used as proof of age in the discretion of the officer issuing the certificate. (d) In case no documentary proof of age of any kind can be produced, the person issuing the certificate may receive and file an application signed by the parent, guardian or custodian of the child. Such application shall contain the name, alleged age, place and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall contain a statement certifying that the parent, guardian or custodian signing such application is unable to produce any of the documentary proofs of age specified in the preceding subdivisions of this section. Such application shall be filed for not less than thirty days for an examination to be made of the statements contained therein; and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, the person issuing the certificate may direct such child to appear thereafter for physical examination before the State child labor inspector; and in case that in his opinion, such child is at least twelve years of age or is at least fourteen years of age as the case may be, such officer shall accept such certificate as sufficient proof of the age of such child for the purposes of this section. The person issuing the certificate shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision, and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent, guardian or custodian showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, date and place of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is authorized and required to administer such oath and who shall not demand or receive a fee therefor. [R C 1915 C 90 s 3152]

Method of issuing certificates; educational requirements.—No employment certificate shall be issued until the child in question has personally appeared before and been examined by the person issuing the certificate, nor until such person, after making such examination, has signed and filed in his office a statement that the child can read intelligently and write legibly simple sentences in the English language. [R C 1915 C 90 s 3153]

Contents of certificates; records of issuing office.—Every such employment certificate shall state the name, sex, the date and place of birth and the place of residence of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and shall contain a statement of the proof of age accepted and shall certify that the papers required by the preceding sections have been duly examined, approved and filed, and that the child named in such certificate has appeared before the officer issuing the certificate and has been examined. Every such certificate shall be dated the date of its issue and shall be signed by the child in whose name it is issued in the presence of the person issuing the same. The superintendent issuing said certificate shall place and keep on file in his office a duplicate thereof; and any person other than the superintendent, issuing such employment certificate, shall immediately upon issuing the same, forward a duplicate thereof to the superintendent, authorizing such person to issue such certificate; and said duplicate shall be placed and kept on file in said superintendent's office in the same manner as certificates issued by him. [R C 1915 C 90 s 3154]

Contents of school record; educational requirements.—The school record herein required shall be filled out and signed by the principal or chief executive officer of the school which such child has last attended, and shall be furnished to a child who, after the examination and investigation, may be entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days, either during the twelve months previous to arriving at the age of twelve years, or during the twelve months previous to applying for such school record, and is able to read intelligently and write legibly simple sentences in the English language. Such school record shall also give the name, date of birth and residence of the child as shown on the records of the school and the name of the parent or guardian or custodian. In case a child has attended more than one school during the twelve months previous to arriving at the age of twelve years or during the twelve months previous

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to applying for such school record, the principal or chief executive officer of each school shall separately certify to the number of days attended by the child in such school during such period, and no employment certificate shall be issued to such child unless the total of the days so attended shall be at least one hundred and thirty days. [R C 1915 C 90 s 3155]

Blank certificates, etc.—The blank certificates and other papers required in the issuing of employment certificates shall be formulated and printed by the labor commission of Delaware and furnished by the said commission to the county superintendents or other boards or committees requiring the same. [R C 1915 C 90 s 3156 as amended by 1915 C 221]

Monthly reports to labor inspector of certificates issued.—The superintendents of public schools shall transmit between the first and tenth of each month to the State child labor inspector upon blanks to be furnished by him, a list of the names of the children to whom certificates have been issued; such lists shall give the name and address of the prospective employer and the nature of the occupation the child intends to engage in if such intention is known. [R C 1915 C 90 s 3157]

Evidence of age may be required for children apparently under 16.—The State child labor inspector may make demand on any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by sections * * * [3144–3192], inclusive, of this chapter, that such employer shall either furnish him, within ten days, satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such place or establishment. The State child labor inspector shall require from such employer the same evidence of age of such child as is required upon the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. [R C 1915 C 90 s 3158]

Failure to produce evidence required by section 3158 to be evidence of illegal employment.—In case any employer shall fail to produce and deliver to the State child labor inspector within ten days after demand made pursuant to section * * * [3158] of this chapter, the evidence of age therein required, and shall thereafter continue to employ such child or permit or suffer such child to work in such places or establishment, proof of the making of such demand and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor. [R C 1915 C 90 s 3159]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 15; exception.—No child under the age of fifteen shall be employed, permitted or suffered to work (1) in, about or in connection with blast furnaces, docks, or wharves; (2) in the outside erection and repair of electric wires; (3) in the running or management of elevators, lifts or hoisting machines, or dynamos; (4) in oiling or cleaning machinery in motion; (5) in the operation of emery wheels or any abrasive, polishing or buffing wheel where articles of the baser metals or iridium are manufactured; (6) at switch tending; (7) gate tending; (8) track repairing; (9) or as brakemen, firemen, engineers, motormen or conductors upon railroads; (10) or as railroad telegraph operators; (11) as pilots, firemen or engineers upon boats and vessels; (12) or in or about establishments wherein nitroglycerin, dynamite, dualin, gun cotton, gunpowder or other high or dangerous explosives are manufactured, compounded or stored; unless said establishments are insured under the approval of the board of insurance underwriters of the district where said establishment is situated. [R C 1915 C 90 s 3160]

Employment under 15 may be prohibited by State board of health in other occupations; right of appeal.—The State board of health may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under fifteen years of age is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age to justify their exclusion therefrom. No child under fifteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children: *Provided however*, That any person, firm or corporation

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engaged in such trade, process, manufacture or occupation, so determined by the board of health to be dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age, shall have the right of appeal from said determination to the superior court of the State of Delaware in and for either county thereof. [R C 1915 C 90 s 3161]

INTOXICATING LIQUORS

MINIMUM AGE

Employment under 21 in saloons, etc., prohibited.—No person under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any saloon or bar room where intoxicating liquors are sold. [R C 1915 C 90 s 3162]

ALL OCCUPATIONS

MINIMUM AGE AND SEATS FOR GIRLS

Constant standing prohibited for girls under 18; seats to be provided.—No girl under eighteen years of age shall be employed, permitted or suffered to work in any capacity where such employment compels her to remain standing constantly, unless seats are provided. [R C 1915 C 90 s 3163]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

Fifty-four hours a week, 6 days a week, and night work prohibited, under 16; presence to be evidence of employment.—No boy under the age of sixteen and no girl under the age of sixteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section * * * [3145], (1) for more than six days in any one week; (2) nor more than fifty-four hours in any week; (3) or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein. [R C 1915 C 90 s 3164]

REGULATED OCCUPATIONS

HOURS OF LABOR

Thirty minutes for midday meal required for children.—Every child employed under the provisions of sections * * * [3144–3192], inclusive, of this chapter, shall be entitled to thirty minutes for mealtime between the hours of twelve o'clock noon and one o'clock in the afternoon. [R C 1915 C 90 s 3165]

MESSENGERS IN CITIES

HOURS OF LABOR

Night work prohibited under 18.—In all cities having a population of twenty thousand or over, no person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for telegraph, telephone or messenger companies in the distribution, transmission or delivery of goods or messages before six o'clock in the morning or after ten o'clock in the evening of any day. [R C 1915 C 90 s 3166]

REGULATED OCCUPATIONS

HOURS OF LABOR

Sections of law relating to hours of labor to be posted where children under 18 are employed.—Every employer shall post and keep posted in a conspicuous place in every establishment wherein any person under the age of eighteen years is employed, permitted or suffered to work, a printed copy of sections * * * [3144–3192]

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inclusive, of this chapter, relative to the hours of labor. Such copies shall be formulated and printed by the said labor commission and furnished by the said labor commission on the application of any such employer. [R C 1915 C 90 s 3167 as amended by 1915 C 221]

STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 12 and girls under 14 in selling newspapers, magazines, or periodicals prohibited.—No boy under twelve years of age, and no girl under fourteen years of age shall, in any city having a population of twenty thousand or over, distribute, sell, expose, or offer for sale (1) newspapers, (2) magazines or (3) periodicals in any street or public place. [R C 1915 C 90 s 3168]

Employment of boys under 14 and girls under 16 in any other street trade, etc., regulated.—No boy under fourteen years of age and no girl under sixteen years of age shall, in any city having a population of twenty thousand or over, be employed, or permitted or suffered to work at any time as (1) bootblack, or (2) in any other trade or occupation performed in any street or public place, (3) in the distribution of handbills or circulars, or (4) any other articles except newspapers, magazines and periodicals, except as hereinafter provided. [R C 1915 C 90 s 3169]

PERMITS AND BADGES

Permits and badges required for boys under 14 and girls under 16; issued by school authorities; method of securing; school attendance required.—No boy under fourteen years of age and no girl under sixteen years of age, shall, in any city having a population of twenty thousand or over, distribute, sell, expose or offer for sale in any street or public place any (1) newspapers, (2) magazines, (3) or periodicals, (4) or work in any of the trades or occupations mentioned in section * * * [3169], unless he or she complies with all of the legal requirements concerning school attendance, and unless a permit and badge as hereinafter provided shall have been issued to him by the superintendent of public schools of the city of Wilmington or of the county in which such child resides, or by some person designated in writing by said superintendent, upon the application in person of the parent, guardian, or custodian of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian, then upon the application of his or her next friend, being an adult. [R C 1915 C 90 s 3170]

Age and school records and physical and mental competence for the work required; records of issuing office.—Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed the following papers, duly executed, viz.:

(1) Evidence that such child is of age required by sections * * * [3169 or 3170],[1] as the case may be. Such evidence of age shall consist of the proof of age required for the issuing of an employment certificate as specified in section * * * [3152], subdivision (3), of this chapter.

(2) The written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school with the grade such child shall have attained, and that he or she has reached the normal development of a child of its age and sex and is physically and mentally fit for such employment and that it is able to do such work beside the regular school work required by law.

After having received, examined and placed on file such papers, the person shall issue to the child a permit and badge: *Provided*, That in the case of a child between the ages of fourteen and sixteen having an employment certificate, such certificate shall be accepted by the person issuing such permit and badge in lieu of any other requirements. Lists of permits and badges shall be forwarded, filed and kept in the office of the superintendent of public schools in the city or county where such boy resides, in the same manner as the lists of employment certificates as herein provided. [R C 1915 C 90 s 3171]

Contents of permit and badge.—Such permit shall state the name and the date and place of birth of the child, the name and address of the parent or guardian or custodian or next friend making application for such permit, and shall describe the color

[1] The sections referred to should probably be sections 3168 and 3169.

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of the hair and eyes, the height and weight, and any distinguishing facial marks of such child, and shall further state that the papers required by the preceding sections have been duly examined and signed, and that the child named in such permit has personally appeared before the person issuing the permit. The badge furnished by the person issuing the permit shall bear on its face a number corresponding to the number of the permit and the name of the child. Every such permit and every such badge on its reverse side shall be signed in the presence of the person issuing the same by the child in whose name it is issued. [R C 1915 C 90 s 3172]

Badge to be worn conspicuously; nontransferable.—The badge provided for herein shall be worn conspicuously at all times by such child while so working. All such permits and badges shall expire annually on the first day of January, and no such permit or badge shall be authority beyond the period fixed therein for its duration. The color of the badge shall be changed each year. No child to whom such permit and badge are issued shall transfer the same to any other person. He shall exhibit the same upon demand at any time to the State child labor inspector. [R C 1915 C 90 s 3173]

HOURS OF LABOR

Employment under 16 during school hours and night work prohibited.—No child under sixteen years of age to whom a permit and badge are issued as provided for in the preceding sections shall distribute, sell, expose, or offer for sale, any newspapers, magazines or periodicals, or work at any of the trades or occupations mentioned in section * * * [3170], in any street or public place (1) after eight o'clock in the evening, (2) or before six o'clock in the morning, (3) nor during the hours when the public schools in the city in which such child resides are in session, unless provided with an employment certificate. [R C 1915 C 90 s 3174]

PENALTIES AND EXCEPTIONS

Child violating act deemed delinquent; revocation of permit and badge; refusal to surrender permit, etc.; newsboys exempted.—Any child in any city having a population of twenty thousand or over who shall distribute, sell, expose or offer for sale newspapers, magazines or periodicals or shall work at any of the trades or occupations mentioned in section * * * [3169], in violation of any of the provisions of sections * * * [3144–3192], inclusive, of this chapter, shall be deemed delinquent, and may be arrested and brought before the juvenile court, if there be any juvenile court in the city where such child resides; or, if not, before any justice of the peace of the State of Delaware, and shall be dealt with according to law. Upon the recommendation of the principal or chief executive officer of the school which such child is attending, or upon the complaint of the State child labor inspector or probation officer of a juvenile court, the permit of any child who violates any of the provisions of said sections, or who becomes delinquent or fails to comply with all the legal requirements concerning school attendance, may be revoked by the person issuing the same, for a period of six months, and [the] badge taken from such child. The refusal of any child to surrender such permit and badge, or the working at any of the occupations above mentioned in any street or public place by any child after notice of the revocation of such permit, shall be deemed a violation of said sections. The provisions for badges in this and preceding sections shall not apply in the case of newsboys. [R C 1915 C 90 s 3175]

ENFORCEMENT

Duties of State child labor inspector.—The State child labor inspector or any inspector authorized by him shall enforce the provisions of the preceding sections [3168–3175] relating to the employment of children in street trades. [R C 1915 C 90 s 3176]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of State child labor inspector.—The State child labor inspector may visit and inspect at any time any place of employment mentioned in sections * * * [3144–3192], inclusive, of this chapter, and shall ascertain whether any minors are employed therein contrary to the provisions of said sections; and he shall report weekly to the school authorities any cases of children under sixteen years of age dis-

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charged for illegal employment. It shall be the duty of the State child labor inspector to make complaints against any person violating any of the provisions of said sections and to prosecute the same. This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints. [R C 1915 C 90 s 3177]

Failure to produce certificates and lists to be evidence of illegal employment.—A failure by an employer to produce to the State child labor inspector any employment certificate or list required by sections * * * [3144–3192], inclusive, of this chapter, shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not so listed. [R C 1915 C 90 s 3178]

APPLICATION OF ACT AND EMPLOYMENT PERMITS

Act not to interfere with manual training or industrial education in schools; exemptions on account of poverty by special permit.—Nothing in sections * * * [3144–3192], inclusive, of this chapter, shall prevent children of any age receiving industrial education furnished by the United States, this State or any city or town in the State, and duly approved by the State board of education or by a school board or committee or other duly constituted public authority. In any case where the labor of a child under the age as specified in said sections is necessary to assist in the support of itself or its family, because of the death of a parent or the illness of a parent, or for any other unavoidable cause, the State child labor inspector shall present the case of such child to the judge of the juvenile court of the city of Wilmington, or to the resident judge of the county in which such child resides, and also to the agent of the society for the prevention of cruelty to children; and if said judge and said agent shall sign a permit for said purpose, the said child shall be allowed to work for not exceeding one year from the date of said permit; and said permit may be renewed by said judge and said agent from year to year. The State child labor inspector shall make report of all such cases to the commission, both in his quarterly report and at any stated meeting of said commission called prior to the time of filing said quarterly report. [R C 1915 C 90 s 3179]

PENALTIES

Illegal employment; employer, parent, etc.—Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through agents, servants, or foremen, employs any child, and whoever, having under his control as parent, guardian, custodian or otherwise, any child, permits or suffers such child to be employed or to work in violation of the provisions of sections * * * [3144–3192], inclusive, of this chapter, shall, for a first offense, be punished by a fine of not less than five dollars nor more than fifty dollars; for a second offense by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; for a third offense by a fine of not less than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [R C 1915 C 90 s 3180]

Employment after notification.—Whoever continues to employ any child in violation of any of the provisions of sections * * * [3144–3192], inclusive, of this chapter, after being notified thereof in writing by the State child labor inspector, shall, for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. [R C 1915 C 90 s 3181]

Retention of employment certificates by employer.—Any person, firm or corporation retaining an employment certificate in violation of section * * * [3150] of this chapter shall be fined not less than five nor more than fifty dollars. [R C 1915 C 90 s 3182]

Failure to keep file of employment certificates and post lists.—Every employer who fails to procure and keep on file employment certificates for all children employed under the age of sixteen years, or who fails to keep and post lists, as provided in section * * * [3149] of this chapter, shall be fined not less than five dollars nor more than one hundred dollars. [R C 1915 C 90 s 3183]

Failure to post law relating to hours.—Any employer who fails to post and keep posted the printed notices required by section * * * [3167] of this chapter in the manner therein specified shall be fined not less than five dollars nor more than fifty dollars. [R C 1915 C 90 s 3184]

Hindering inspector.—Any person, firm or corporation who (1) hinders or delays the State child labor inspector in the performance of his duties, (2) or refuses to admit

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or locks out such officer from any place which said inspector is authorized to inspect, shall be punished by a fine of not less than five nor more than two hundred dollars, or by imprisonment for not less than ten days nor more than thirty days, or by both such fine and imprisonment. [R C 1915 C 90 s 3185]

Violation of act by persons authorized to issue certificates, etc.—Any person authorized to issue employment certificates or permits and badges as required by sections * * * [3144–3192], inclusive, of this chapter, or other person charged with the enforcement of any of the provisions of said sections, who knowingly and willfully violates or fails to comply with any of the provisions of said sections, shall be fined not less than five nor more than one hundred dollars. [R C 1915 C 90 s 3186]

False statement by persons authorized to sign certificates.—Any person authorized to sign any certificate, affidavit or paper called for by sections * * * [3144–3192], inclusive, of this chapter, who knowingly certifies to any materially false statement therein, shall be fined not less than five dollars nor more than one hundred dollars. [R C 1915 C 90 s 3187]

Refusing information; children.—Any child working in or in connection with any of the establishments or places or in any of the occupations mentioned in sections * * * [3144–3192], inclusive, of this chapter, who refuses to give to the State child labor inspector his or her name, age and place of residence, shall be forthwith conducted by the inspector before the juvenile court if there be any juvenile court in the city where such child resides, or, if not, before any justice of the peace of the State of Delaware, for examination and to be dealt with according to law. [R C 1915 C 90 s 3188]

Assisting minor to violate act.—Any person who, either for himself or herself or as agent of any other person or of any corporation, furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of sections * * * [3144–3192], inclusive, of this chapter, or who shall continue to furnish or sell articles of any description to a minor, after having received written notice from the State child labor inspector, or from the person issuing the permit and badge required by section * * * [3170] of this chapter, that said minor is unlicensed to sell such articles, shall be punished by a fine of not less than five dollars or more than two hundred dollars, or by imprisonment for not less than ten days nor more than thirty days, or by both such fine and imprisonment. [R C 1915 C 90 s 3189]

ENFORCEMENT

Prosecutions.—Any justice of the peace of the State of Delaware shall have jurisdiction of any offense arising under sections * * * [3144–3192], inclusive, of this chapter; but any person, firm or corporation convicted of such offense, before any such justice of the peace, shall have the right to appeal to the court of general sessions in and for the county in which said conviction was had, upon giving bond in the sum of one hundred dollars to the State of Delaware, with surety satisfactory to the said justice of the peace by whom said person was convicted, provided such appeal shall be taken and bond given within three days from the time of said conviction. [R C 1915 C 90 s 3190]

Appointment of State child-labor inspector.—On or before the first day of May, A. D. 1915, and every four years thereafter, the labor commission of Delaware shall appoint some suitable person, being a bona fide resident of the State of Delaware, who shall be known as, and be the State child labor inspector, who shall serve for a term of four years from the time of said appointment, and whose duties shall be as herein prescribed. Any vacancies arising in the office of the State child labor inspector by death, resignation or removal from office, or expiration of term, or otherwise, shall be filled by the said labor commission as herein provided. The State child labor inspector shall have no other gainful occupation than the performance of his duties as herein set forth * * *. [R C 1915 C 90 s 3191 as amended by 1915 C 221]

Name and interpretation of act.—Sections * * * [3144–3192], inclusive, of this chapter may be cited as the uniform child labor law. It shall be so interpreted and construed as to effectuate its general purposes and objects. [R C 1915 C 90 s 3192]

CANNING INDUSTRIES

TOILETS AND LIVING QUARTERS

Enforcement: duties of cannery inspector.—It shall be the duty of the cannery inspector to visit and inspect, at reasonable hours, and as often as practicable, all factories and establishments in this State in which fruits, vegetables, or by-products thereof,

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are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, and to enforce the correction of all unsanitary conditions and practices found therein; and it shall be his special duty to enforce the laws, rules and regulations provided in this act. * * * [1915 C 228 s 3]

Separate toilets, wash rooms, and living quarters for the sexes.—The cannery inspector in the discharge of his duties under the provisions hereof, shall be governed by the following rules and regulations, which are hereby made the law of this State:

All persons, firms or corporations, operating factories affected by this act shall be subject to the following rules, regulations and requirements.

* * * * * * *

Adequately equipped wash stations and places where employees may change their clothing and hang the clothes not in use, shall be provided for male and female employees. These wash stations shall be provided with sufficient water, soap and sanitary towels. Separate toilet rooms shall be maintained for male and female employees. Living quarters, if provided by the canner, shall have water-proof roofs and tight board floors, and shall be provided with ample light and ventilation; and provision shall be made therein for the proper separation and privacy of sexes. [1915 C 228 s 5]

Enforcement: powers of cannery inspector and duties of constables, sheriffs, etc., penalty for resisting inspector, etc.—Whenever any person, firm, corporation shall violate any of the provisions of this act the said cannery inspector shall cause the person, firm or corporation so violating to be prosecuted in the court of general sessions of the county where the offense is committed.

Provided, however, That in any such case, the cannery inspector, in his discretion, may, instead of prosecuting such person, firm or corporation, close the factory in which such violation occurs, and may cause all work therein to be discontinued, until such violations are discontinued or until such changes as may be necessary to make the factory sanitary are made, as directed by the cannery inspector.

The cannery inspector is hereby authorized and empowered to enforce this provision, and if necessary, to call to his assistance the sheriff of any county or any constable within the State of Delaware. Should any person, firm or corporation engaged in the canning business, whose factory should be ordered closed by the cannery inspector, under the provisions hereof, resist the authority of the said cannery inspector or sheriff or constable deputized by him, such person, firm or corporation shall be deemed guilty of a misdemeanor, and upon conviction thereof, in the court of general sessions of the State of Delaware, be fined in a sum not less than fifty dollars or more than one hundred dollars, and imprisoned for a term not exceeding thirty days. It shall be the duty of the sheriffs and constables of the respective counties of the State to assist the cannery inspector in enforcing this provision whenever they shall be called upon by him. [1915 C 228 s 7]

Penalty for violation of act.—Any person, firm or corporation who violates any of the provisions of this act, or refuses, neglects or fails to comply with the provisions and requirements hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of general sessions of the State of Delaware, shall for the first offense be fined not less than twenty-five dollars nor more than one hundred dollars; for the second offense not less than one hundred dollars nor more than one hundred and fifty dollars. If any person, firm or corporation engaged in the canning business within the provisions of this act, shall be convicted a third time for any violation of this act, the court of general sessions is hereby authorized and empowered to close the factory in which such third offense is committed, and the person, firm or corporation convicted as aforesaid, may be prohibited from engaging in the canning business within the provisions of this act until further order of the said court of general sessions. [1915 C 228 s 8]

Enforcement: powers of cannery inspector; penalty for hindering inspector.—The cannery inspector provided for in this act, * * * is hereby authorized and empowered to enter upon the premises of any factory in this State engaged in the business herein set forth, for the purpose of inspecting and enforcing the provisions of this act, and any person, firm or corporation engaged in the business aforesaid, refusing access to the said officer, or in any way interfering with said officer in the exercise of his duties, when over [other] penalties are not provided in this act, shall be guilty of a misdemeanor and upon conviction thereof in the court of general sessions, shall be fined in a sum not exceeding one hundred dollars for each offense. In default of the payment of any fine that may be imposed under the provisions of this act, imprisonment may be imposed, for a term, in the discretion of the court, in lieu thereof. [1915 C 228 s 9]

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DISTRICT OF COLUMBIA

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FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited in these occupations, in theaters, bootblack stands, messenger service, etc., and in any gainful work during school hours or at night; exceptions; permits may be granted children from 12 to 14 on account of poverty.—No child under fourteen years of age shall be employed or permitted to work in the District of Columbia in any factory, workshop, mercantile establishment, store, business office, telegraph or telephone office, restaurant, hotel, apartment house, club, theater, bowling alley, laundry, bootblack stand, or in the distribution or transmission of merchandise or messages. No such child shall be employed in any work performed for wages or other compensation, to whomsoever payable, during the hours when the public schools of the District of Columbia are in session, nor before the hour of six o'clock in the morning or after the hour of seven o'clock in the evening: *Provided*, That the provisions of this section shall not apply to children employed in the service of the Senate: *And provided further*, That the judge of the juvenile court of said District may, upon the application of the parent, guardian, or next friend of said child, issue a permit for the employment of any child between the ages of twelve and fourteen years at any occupation or employment not in his judgment dangerous or injurious to the health or morals of such child, upon evidence satisfactory to him that the labor of such child is necessary for its support, or for the assistance of a disabled, ill, or invalid father or mother, or for the support in whole or in part of a younger brother or sister or a widowed mother. Such permits shall be issued for a definite time, but they shall be revocable at the discretion of the judge by whom they are issued or by his successor in office. Hearings for granting and revoking permits shall be held upon such notice and under such rules and regulations as the judge of said court shall prescribe. [Code 1911 page 441 section 1]

Court decision.—This section was held constitutional. Newspapers are not merchandise and their delivery is not a violation of this section.—District of Columbia *v.* Reider, Juvenile Court of the District of Columbia (1908).

EMPLOYMENT CERTIFICATES

Certificates and lists required under 16; lists to be posted.—No child under sixteen years of age shall be employed or permitted to work in the District of Columbia in any of the establishments named in section one, unless the person or corporation employing him procures and keeps on file and accessible to the inspectors authorized by this act [pp 441–445 s 1–17] and the truant officers of the District of Columbia an

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age and schooling certificate, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. [C 1911 p 441 s 2]

School authorities to issue certificates.—An age and schooling certificate shall be approved only by the superintendent of public schools, or by a person authorized by him in writing, who shall have authority to administer the oath provided for therein, but no fee shall be charged therefor. [C 1911 p 441 s 3]

Evidence of age required.—No age and schooling certificate shall be approved unless satisfactory evidence is furnished by duly attested transcript of the certificate of birth or baptism of such child, or other religious record, or the register of birth or the affidavit of the parent or guardian or custodian of a child, which affidavit shall be required, however, only in case such last-mentioned transcript of the certificate of birth be not procured and filed, showing the place and date of birth of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. [C 1911 p 441 s 4]

Contents of certificates; educational and physical requirements; records of issuing office; exception to requirement of school certificate.—The age and schooling certificate of a child under sixteen years of age shall be in the following form:

AGE AND SCHOOL CERTIFICATE

This certifies that I am the (father, mother, guardian, or custodian) of (name of child) ...., and that (he or she) was born at (name of town or city) ..... in the county (name of county, if known) ..... and State (or country) ..... on the (day and year of birth) ..... and is now (number of years and months) ..... old.

Signature of (father, mother, guardian, or custodian).

(Date.)

There personally appeared before me the above-named (name of person signing) .... and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge and belief. I hereby approve the foregoing certificate of (name of child) ....; complexion (fair or dark), ...; hair (color), ... having no sufficient reason to doubt that (he or she) is of the age therein certified, I hereby certify that (he or she) can read at sight and can write legibly simple sentences in the English language, and that (he or she) has reached the normal development of a child of (his or her) age, and is in sound health and is physically able to perform the work which (he or she) intends to do, and that (he or she) has regularly attended the public schools, or a school equivalent thereto, for not less than one hundred and thirty days during the school year previous to applying for such school record, or during the year previous to applying for such school record, and has received during such period instruction in reading, spelling, writing, and arithmetic.

This certificate belongs to (name of child in whose behalf it is drawn) .... and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same, but if not claimed by said child within thirty days from such time it shall be returned to the superintendent of schools.

(Signature of person authorized to approve and sign, with official character of authority.)

(Date.)

A duplicate of each age and schooling certificate shall be filled out and kept on file by the superintendent of public schools. Any explanatory matter may be printed with such certificate, in the discretion of said superintendent: *Provided*, That in exceptional cases the judge of the juvenile court, upon the recommendation of the superintendent of public schools, or the person authorized to act for him, may, in writing, waive the necessity of the schooling certificate provided for in this act [pp 441–445 s 1–17] and in such cases the age certificate shall entitle the holder to be employed without a violation of this act. [C 1911 p 442 s 5]

PENALTIES

Violation by employer, parent, etc.; failure to produce certificates and lists; retention of certificates by employer; false statements.—Whoever employs a child or permits a child to be employed in violation of sections one, two, eight, or nine of this act [pp 441–445 s 1–17] shall be deemed guilty of a misdemeanor and, for such offense, be fined not more than fifty dollars; and whoever continues to employ any child in violation of any of said sections of this act, after being notified by an inspector

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authorized by this act, or a truant officer of the District of Columbia, shall for every day thereafter that such employment continues be fined not more than twenty dollars. A failure to produce to an inspector authorized by this act, or a truant officer of the District of Columbia, any age or schooling certificate or list required by this act shall be prima facie evidence of illegal employment of any person whose age and schooling certificate is not produced or whose name is not listed. Any corporation or employer retaining any age and schooling certificate in violation of section five of this act shall be fined not more than twenty dollars. Every person authorized to sign the certificate prescribed by section five of this act who knowingly certifies to any materially false statement therein shall be fined not more than fifty dollars. [C 1911 p 442 s 6]

ENFORCEMENT

Duties of inspectors and truant officers.—The inspectors authorized by this act [pp 441–445 s 1–17] and the truant officers of the District of Columbia shall visit the establishments named in section one and ascertain whether any minors are employed therein contrary to the provisions of this act, and they shall report any cases of such illegal employment to the superintendent of public schools and the corporation counsel of the District of Columbia. The inspectors authorized by this act and the truant officers of the District of Columbia shall require that the age and schooling certificates and lists provided for in this act of minors employed in the establishments named in section one shall be produced for their inspection. [C 1911 p 443 s 7]

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16.—No minor under sixteen years of age shall be employed, permitted, or suffered to work in any of the establishments named in section one more than eight hours in any one day, or before the hour of six o'clock antemeridian, or after the hour of seven o'clock postmeridian, and in no case shall the number of hours exceed forty-eight in a week. [C 1911 p 443 s 8]

Hours to be posted.—Every employer shall post in a conspicuous place in every room where such persons are employed a printed notice, stating the number of hours required of them on each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the inspectors authorized by this act [pp 441–445 s 1–17] and the truant officers of the District of Columbia, and the employment of any such person for a longer time in any day than that so stated shall be deemed a violation of this section. [C 1911 p 443 s 9]

ENFORCEMENT

Appointment of 2 inspectors.—The commissioners of the District of Columbia are hereby authorized to appoint two inspectors to carry out the purposes of this act [pp 441–445 s 1–17], at a compensation not exceeding one thousand two hundred dollars each per annum. [C 1911 p 443 s 10]

NOTE.—[These inspectors have not as yet been appointed because of lack of appropriations. Their duties, however, are being discharged by two privates of the Metropolitan police, as provided by act of Congress approved March 2, 1911 (36 United States Statutes at Large, p. 990).]

STREET TRADES

MINIMUM AGE

Specific trades prohibited for boys under 10 and girls under 16.—No male child under ten, and no girl under sixteen years of age shall exercise the trade of bootblacking, or sell or expose or offer for sale any newspapers, magazines, periodicals, or goods, wares, or merchandise of any description whatsoever, upon the streets, roads, or highways, or in any public place within the District of Columbia. [C 1911 p 444 s 11]

PERMITS AND BADGES

Permit and badge required; issued by school authorities; application of parent or guardian required.—No male child under sixteen years shall exercise the trade of bootblacking or sell or expose or offer for sale any newspapers, magazines, periodicals or goods,

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ware or merchandise of any description whatsoever upon the streets, roads, or highways, or in any public place within the District of Columbia unless a permit and badge as hereinafter provided shall have been issued to him by the superintendent of public schools of the District of Columbia, or by a person authorized by him in writing for that purpose upon the application of the parent, guardian, or other person having the custody of the child desiring such a permit and badge, or in case said child has no parent, guardian, or custodian, then on the application of his next friend, being an adult. [C 1911 p 444 s 12]

Age and school certificates required.—Such permit and badge shall be issued free of charge to the applicant, but shall not be issued until an age and schooling certificate shall have been issued as provided in this act [pp 441–445 s 1–17]. [C 1911 p 444 s 13]

Contents of permit and badge; badge to be worn conspicuously; nontransferable.—Such permit shall state the date and place of birth of the child, the name and address of its parent, guardian, custodian, or next friend, as the case may be, and describe the color of hair and eyes, the height and weight, and any distinguishing facial mark of such child, and shall further state that the age and schooling certificate has been duly examined and filed, and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit and the name of the child. Every such permit, and every such badge on its reverse side, shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. The badge provided for herein shall be worn conspicuously at all times by such child while so working, and all such permits and badges shall expire annually on the first day of January. The color of the badge shall be changed each year. No child to whom such permit and badge are issued shall transfer the same to any other person, nor be engaged in the District of Columbia in any of the trades or occupations mentioned in this section without having conspicuously upon his person such badge, and he shall exhibit the same upon demand to any police or truant officer or to the inspectors in this act [pp 441–445 s 1–17] provided for. [C 1911 p 444 s 14]

HOURS OF LABOR

Night work prohibited for boys under 16.—No child to whom a permit and badge are issued as provided for in the preceding sections [s 12–14] shall sell or expose or offer for sale any newspapers, magazines, or periodicals or goods, wares, or merchandise of any description whatever after ten o'clock in the evening or before six o'clock in the morning. [C 1911 p 445 s 15]

THEATRICAL EXHIBITIONS

MINIMUM AGE, EMPLOYMENT CERTIFICATES, AND HOURS OF LABOR

Employment of minors permitted in theatrical exhibitions with consent of District commissioner.—Nothing in this act [pp 441–445 s 1–17] contained shall apply to the employment of any child in a theatrical exhibition, provided the written consent of one of the commissioners of the District of Columbia is first obtained. Such consent shall specify the name of the child, its age, the names and residence of its parents or guardians, together with the place and character of the exhibition. [C 1911 p 445 s 16]

REGULATED OCCUPATIONS

ENFORCEMENT

Jurisdiction of juvenile court.—The juvenile court of the District of Columbia is hereby given jurisdiction in all cases arising under this act [pp 441–445 s 1–17]. [C 1911 p 445 s 17]

Police to enforce provisions of child labor law.—The major and superintendent of police shall hereafter detail two privates [1] of the Metropolitan police for the enforcement of the provisions of the act "to regulate the employment of child labor in the District of Columbia," approved May twenty-eighth, nineteen hundred and eight [C 1911 pp 441–445 s 1–17]. [36 United States Statutes at Large page 990]

[1] These privates of the Metropolitan police are discharging the duties of the inspectors for whom provision is made in section 10, page 443, of the Code of 1911.

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PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 as circus rider, ropewalker, street singer, etc., prohibited; penalty for parent, employer, etc.—Any person * * * having in his custody or control a child under the age of fourteen years, who shall in any way dispose of it with a view to its being employed as an acrobat, or a gymnast, or a contortionist, or a circus rider, or a ropewalker, or in any exhibition of like dangerous character, or as a beggar, or mendicant, or pauper, or street singer, or street musician; or any person who shall take, receive, hire, employ, use, exhibit, or have in custody any child of the age last named for any of the purposes last enumerated, shall be deemed guilty of a misdemeanor, and, when convicted thereof, shall be subject to punishment by a fine of not more than two hundred and fifty dollars, or by imprisonment for a term not exceeding two years, or both. [C 1911 p 214 s 814]

ILLEGAL AND IMMORAL OCCUPATIONS

MINIMUM AGE AND ENFORCEMENT

Employment agencies forbidden to accept applications of children in violation of compulsory education or child labor law.— * * * No such licensed person [licensed to conduct employment agency] shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of any compulsory education or child labor law. [34 U S Stat L p 306 s 6]

Employment agencies forbidden to send girls to immoral places; penalty.—No such licensed person shall send, or cause to be sent, any female as a servant or inmate or performer to enter any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution, or gambling house, the character of which such licensed person could have ascertained upon reasonable inquiry. * * * For the violation of any of the foregoing provisions of this section the penalty shall be a fine of not more than two hundred dollars and in default in payment thereof by imprisonment in the workhouse for a period of not more than one year, or both, at the discretion of the court. * * * [34 U S Stat L p 308 s 10]

Enforcement and penalty.—The enforcement of this act shall be entrusted to the commissioners of the District of Columbia. * * * The said commissioners may refuse to issue and shall revoke any license for any good cause shown, within the meaning and purpose of this act, and when it is shown to their satisfaction that any licensed person, either before or after conviction, is guilty of any illegal act in connection with the conduct of said business or in violation of this law it shall be the duty of the said commissioners to revoke the license of such person; but notice of the charges shall be presented and reasonable opportunity shall be given said licensed person to be heard in his defense. Whenever for any cause such license is revoked, said commissioners shall not issue another license to said licensed person until the expiration of at least six months from the date of revocation of such license. Every violation of any provision of this act, except as provided in section ten, shall be punishable by a fine not to exceed twenty-five dollars, and in default thereof the person or persons so offending shall be committed for a period not to exceed thirty days, and this penalty shall also include such violations of section ten for which no penalty is prescribed in said section ten. * * * [34 U S Stat L p 308 s 11 as amended by p 848]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14; exemptions.—Every parent, guardian, or other person residing in the District of Columbia having charge and control of a child between the ages of eight and fourteen years shall cause such child to be regularly instructed in the elementary branches of knowledge, including reading, writing, English grammar, geography, and arithmetic, and pursuant to this end every such parent, guardian, or other person aforesaid shall cause any child under the charge and control of such person to attend some public, private, or parochial school during the period of each year the public schools in the district are in session, on the customary days and during the

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customary hours of the school term. No child shall be credited with attendance upon a private or parochial school unless the attendance officer hereinafter provided for receives a certificate of attendance signed by the person in charge of such school. A child between the ages aforesaid may be excused from school attendance or instruction upon presentation of satisfactory evidence to the superintendent of schools that such child is being or has been within said year instructed a like period of time in the branches taught in the public schools, or that such child has acquired these branches of learning, or that the physical or mental condition of such child is such as to render such attendance or instruction inexpedient or impracticable. [34 U S Stat L p 219 s 1]

Penalty.—If any person having under control a child, as described in section one, shall neglect for three day sessions or six half-day sessions, within any period of five months to cause such child to attend school, a written notice shall be sent to such person by an attendance officer, hereinafter provided for, informing him that the attendance of the child under the control of such person is required at school within a period of three days. If such child is not excused as provided for in section one, and is not in school within three days, prosecution shall be begun in the police court by an officer empowered under this act [pp 219–220 s 1–7] against the parent or other person in control of the child, and upon conviction the parent or other person in control of the child shall be punished for each and every offense by a fine of not more than twenty dollars. [34 U S Stat L p 219 s 2]

Enforcement: appointment and duties of truant officers; duties of inspectors and probation officers.—The board of education of the District of Columbia is hereby authorized, empowered and directed to appoint two truant officers at a salary of six hundred dollars per annum each, who, together with the inspectors provided for in the bill to regulate the employment of child labor and the probation officers provided for in the bill establishing a juvenile court shall under the direction of the board of education carry out the provisions of this act [pp 219–220 s 1–7]. [34 U S Stat L p 220 s 4]

Penalty for employing during school hours, etc.—Any person who induces or attempts to induce any child to be absent unlawfully from school, or who knowingly employs or harbors while school is in session any child absent unlawfully from school, shall be deemed guilty of a misdemeanor and be punished by a fine of not more than twenty dollars. [34 U S Stat L p 220 s 5]

Enforcement: duties and powers of enforcing officers; lists of children employed.—The officers empowered under this act shall visit any place or establishment where minor children are employed to ascertain whether the provisions of this law are duly complied with, and shall as often as twice a year demand from all employers of such children a list of children employed, with their names and ages. [34 U S Stat L p 220 s 6]

Penalty for false statements.—Any parent or other person who makes a false statement concerning the age or school attendance of a child between the ages of eight and fourteen who is under his control, such false statement being made with intent to deceive under this act [pp 219–220 s 1–7], shall upon conviction thereof be punished by a fine not to exceed twenty dollars. [34 U S Stat L p 220 s 7]

STORES, SHOPS, OFFICES, AND MANUFACTORIES

SEATS FOR GIRLS

Seats to be provided and their use permitted.—All persons who employ females in stores, shops, offices, or manufactories as clerks, assistants, operatives, or helpers in any business, trade, or occupation carried on or operated by them in the District of Columbia, shall be required to procure and provide proper and suitable seats for all such females and shall permit the use of such seats, rests, or stools, as may be necessary, and shall not make any rules, regulations, or orders preventing the use of such stools or seats when any such female employees are not actively employed in their work in such business or employment. [28 U S Stat L p 964 s 1]

Penalty.—If any employer of female help in the District of Columbia, shall neglect or refuse to provide seats, as provided in this act, or shall make any rules, orders, or regulations in his shop, store, or other place of business, requiring females to remain standing when not necessarily employed in service or labor therein, he shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be liable to a fine therefor in a sum not to exceed twenty-five dollars, with costs, in the discretion of the court. [28 U S Stat L p 964 s 2]

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ALL INDOOR OCCUPATIONS

TOILETS FOR GIRLS

Separate for the sexes.—Every building in said District * * * where persons are employed or intended to be employed in any trade or business, shall be provided with sufficient and suitable privy accommodations, having regard to the number of persons employed in or in attendance at such building; and also where persons of both sexes are employed or intended to be employed, or in attendance, with sufficient, suitable, and separate privy accommodations for persons of each sex. It shall be unlawful for any owner or agent to put any person or persons in possession of any building, or any part thereof, not provided with privy accommodations as aforesaid, except a watchman for the purpose of guarding such building or part thereof. [30 U S Stat L p 232 s 9]

INTOXICATING LIQUORS

MINIMUM AGE

Enforcement: appointment and duties of inspectors.—The said board [excise board] shall appoint * * * an inspector with police powers * * *. Said inspector shall make inspections as may be required by this section, under the orders of the board, and make full report of such inspections to the board. He shall wear a badge indicating that he is such inspector of the excise board. * * * [37 U S Stat L p 997 s 9 par 3]

Penalty.—Any person, company, copartnership, corporation, or club having obtained a license under this section, who shall violate any of its provisions shall, upon conviction of such violation, be fined not less than $100 nor more than $500, and the excise board may, in its discretion, revoke the license; and upon a second conviction of such violation such licensee shall be fined not less than $200 nor more than $500, and in addition to such fine the excise board shall immediately revoke the license. * * * [37 U S Stat L p 997 s 9 par 13]

Employment of minors and women to sell, distribute, etc., prohibited.—No licensee [licensed to traffic in intoxicating liquors] under this section shall allow any female or any minor * * * to sell, give, furnish, or distribute any intoxicating liquors, or any admixture thereof, to any person or persons * * *. [37 U S Stat L p 997 s 9 par 14]

Penalty for aiding or abetting violation of act.—Any person assisting in or aiding and abetting the violation of any of the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than $50 nor more than $100 or be imprisoned in the District jail or workhouse for not more than three months for each and every offense * * *. [37 U S Stat L p 997 s 9 par 17]

Prosecutions.—Prosecutions for violations of the provisions of this section shall be on information filed in the police court by the corporation counsel of the District of Columbia or any of his assistants duly authorized to act for him, and said corporation counsel or his assistants shall file such information upon the presentation to him or his assistants of sworn information that the law has been violated; and such corporation counsel and his assistants shall have power to administer oaths to such informant or informants, and such others as present themselves, and anyone making a false oath to any material fact shall be deemed guilty of perjury and subject to the same penalties as now provided by law for such offense. [37 U S Stat L p 997 s 9 par 18]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Eight hours a day, 48 a week, 6 days a week.—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in the District of Columbia more than eight hours in any one day or more than six days or more than forty-eight hours in any one week. [38 U S Stat L p 291 s 1]

Opinions.—This section should be construed as though it read, "that no female shall be employed more than eight hours in any one day or more than 6 days in any one week, or more than forty-eight hours in any one week," and that the words "in any one week" refer both to the six days and the forty-eight hours. If a woman stockholder is a paid employee of a corporation or company, she comes within the purview of this section. This act applies only to that portion of newspaper and magazine establishments wherein the mechanical work is actually done; it includes dry cleaning and dye works, and also dressmaking estab-

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lishments; but it does not apply to employees in drug stores. "Telegraph or telephone establishment or office" means the office of a telegraph or telephone company, not the office of a private concern where the telephone or telephone exchange is placed. Females cannot make either general or special contracts to work in excess of eight hours.—Corporation Counsel (1914).

Night work prohibited under 18.—No female under eighteen years of age shall be employed or permitted to work in or in connection with any of the establishments or occupations named in section one of this act before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening of any one day. [38 U S Stat L p 291 s 2]

Period of rest after six hours labor; exception.—No female shall be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in section one of this act in which three or more such females are employed without an interval of at least three-quarters of an hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half past one o'clock in the afternoon and if she is then dismissed for the remainder of the day. [38 U S Stat L p 291 s 3]

Hours to be posted.—Every employer shall post and keep posted in a conspicuous place in every room in any establishment or occupation named in section one of this act in which any females are employed a printed notice stating the number of hours such females are required or permitted to work on each day of the week, the hours of beginning and stopping such work, and the hours of beginning and ending the recess allowed for meals. The printed form of such notice shall be furnished by the inspectors authorized by this act. The employment of any such female for a longer time in any day than that stated in the printed notice shall be deemed a violation of the provisions of this section. Where the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females employed, the inspectors authorized to enforce this act may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females are required or permitted to work on each day of the week and the hours of beginning and stopping such work. Such permit shall be kept by such employer upon such premises and exhibited to all inspectors authorized to enforce this act. [38 U S Stat L p 291 s 4]

Time book to be kept by employers.—Every employer shall keep a time book or record for every female employed in any establishment or occupation named in section one of this act, stating the wages paid, the number of hours worked by her on each day of the week, the hours of beginning and stopping such work, and the hours of beginning and ending the recess allowed for meals. Such time book or record shall be open at all reasonable hours to the inspection of the officials authorized to enforce this act. Any employer who fails to keep such record as required by this section, or makes any false statement therein, or refuses to exhibit such time book or record, or makes any false statement to an official authorized to enforce this act in reply to any question put in carrying out the provisions of this act shall be liable for a violation thereof. [38 U S Stat L p 291 s 5]

Enforcement: appointment of inspectors.—The commissioners of the District of Columbia are hereby authorized to appoint three inspectors, two of whom shall be women, to carry out the purposes of this act at a compensation not exceeding $1,200 each per annum. [38 U S Stat L p 291 s 6]

Enforcement: powers of inspectors.—The inspectors authorized by this act may in the discharge of their duties enter any place, building, or room where any labor is being performed by females which is affected by the provisions of this chapter whenever such inspectors may have reasonable cause to believe that any such labor is being performed therein. [38 U S Stat L p 291 s 7]

Enforcement: duties and powers of inspectors.—The inspectors authorized by this act shall visit and inspect the establishments and places of employment named in section one as often as practicable, during reasonable hours, and shall cause the provisions of this act to be enforced therein and also the provisions of an act [28 U S Stat L p 964] entitled "An act to provide that all persons employing female help in stores, shops, or manufactories in the District of Columbia shall provide seats for the same when not actively employed," approved March second, eighteen hundred and ninety-five. They shall make a daily report to the commissioners of the District of Columbia, and also report any cases of illegal employment contrary to the provisions of this act to the corporation counsel of the District of Columbia. [38 U S Stat L p 291 s 8]

Penalty.—Any person who violates or does not comply with any of the provisions of this act shall upon conviction be punished for a first offense by a fine of not less than $20 nor more than $50; for a second offense, by a fine of not less than $50 nor more than $200; for a third offense, by a fine of not less than $250. [38 U S Stat L p 291 s 9]

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STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 10 and girls under 16 in selling newspapers, etc., prohibited.—No boy under ten years of age, and no girl under sixteen years of age shall distribute, sell, expose, or offer for sale (1) newspapers, (2) magazines, (3) periodicals in any street or public place, in any city of six thousand population or more. [Compiled Laws 1914 section 2642a]

STORES, OFFICES, MESSENGER SERVICE, ETC., IN CITIES

MINIMUM AGE

Employment under 12 prohibited.—No child under twelve years of age shall be employed, permitted, or suffered to work in, about or in connection with any (1) store, (2) office, or (3) in the transmission or sale of merchandise, (4) or in the transmission of messages, in any city of six thousand population or more. [C L 1914 s 2642b]

FACTORIES, WORKSHOPS, MECHANICAL ESTABLISHMENTS, THEATERS, ETC.

MINIMUM AGE

Employment under 14 prohibited.—No child under fourteen years of age shall be employed, permitted or suffered to work in, about or in connection with any (1) mill, (2) factory, (3) workshop, (4) mechanical establishment, (5) laundry, (6) or on the stage of any theater. [C L 1914 s 2642c]

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FACTORIES, WORKSHOPS, MINES, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 16; lists to be posted; certificates to be returned to child or parent; proof of age may be required for children apparently under 16; employment without such proof after notification constitutes evidence of violation.—No child under sixteen years of age shall be employed, permitted or suffered to work in any factory, workshop, laundry, mine or mill, unless the person or corporation employing him procures and keeps on file and accessible to the judicial and police officers of the town or city, and to the State labor inspector, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. On termination of the employment of the child so registered, and whose certificate is so filed, such certificate shall forthwith be surrendered by the employer to the child or its parent or guardian or custodian. The State labor inspector may make demands on an employer in whose establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this act [s 2642a–2642x], that such employer shall either furnish him within ten days evidence satisfactory to him that such child is in fact over fourteen years of age, or shall cease to employ or permit or suffer such child to work therein. The labor inspector may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the inspector within ten days after such demand such evidence of age herein required of him, and thereafter continue to employ such child, or permit or suffer such child to work in such establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for violation of the provision that such child is under fourteen years of age and is unlawfully employed. [C L 1914 s 2642d]

School authorities to issue certificates; exceptions.—An employment certificate shall only be approved by the county superintendent of schools, or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized by the school board: *Provided*, That no member of a school board, or other person authorized as aforesaid shall have authority to approve such certificate for any child then in or about to enter his own employment, or the employment of a firm or corporation of which he is a member, officer or employee. [C L 1914 s 2642e]

School and birth records required; method of issuing certificates; educational qualifications; physical competence for work contemplated required.—The persons authorized to issue employment certificates shall not issue such certificates until he has received, examined, approved and filed the following papers duly executed. (1) The school record of such child properly filled out and signed as provided herein below. (2) A passport or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with any officer charged with the duty of recording births, shall be sufficient evidence of the age of such child. (3) The affidavit of the parent, guardian or custodian of a child, which shall be required, however, only in case such last mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child, which affidavit must be taken before the officer issuing employment certificates, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making examination, file and sign in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is thirteen [sic] years of age or upward and has received the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health, or by the county physician. Every employment certificate shall be signed in the presence of the child in whose name it is issued. [C L 1914 s 2642f]

Contents of certificate.—Such certificate shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight and any

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distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and filed and that the child named in such certificate has appeared before the officer signing the certificate and has been examined. [C L 1914 s 2642g]

Contents of school record; exceptions to requirement of school record.—The school record above mentioned shall be signed by the principal or chief teacher of the school which such child has last attended and shall be furnished, on demand, to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools or school equivalent thereto or parochial schools for not less than sixty days during the school year previous to his arriving at the age of fourteen years or during the year previous to applying for such school records, and is able to read and write simple sentences in the English language, and has received during such period partial instruction in reading, spelling, writing and geography and is familiar with the fundamental operations of arithmetic up to and including common fractions. Such school record shall also give the age and residence of the child, as shown on the records of the school and the name of its parents, or guardian or custodian: *Provided*, That upon the filing with the person authorized to issue employment certificates of the affidavit of the applicant or of his or her parent, guardian or custodian, showing that diligent effort has been made to obtain the school record hereby required and that it cannot be obtained, then the person authorized to issue the certificate may issue such a certificate without having received such school record, but it shall be his duty, in such case, to examine the applicant as to his or her proficiency in each of the studies mentioned in this section; and in such case the employment certificate shall show that such examination was had in lieu of the filing of the school board [sic]. [C L 1914 s 2642h]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, THEATERS, ETC.

HOURS OF LABOR

Nine hours a day, 54 a week, 6 days a week, and night work prohibited, under 16; hours to be posted.—No child under the age of sixteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 3 (1) for more than six days in any one week, (2) nor more than fifty-four hours in any week, (3) nor more than nine hours in any one day; (4) or [nor] before the hour of five o'clock in the morning or after the hour of eight o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein. Every employer shall post in a conspicuous place in every room where such minors are employed a printed notice, stating the hours required of them each day of the week, the hours of commencing and stopping work and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the State labor inspector, and the employment of any minor for a longer time in any day so stated shall be deemed a violation of this section. [C L 1914 s 2642i]

INTOXICATING LIQUORS

MINIMUM AGE

Employment under 21 in saloons, etc., prohibited.—No person under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any pool room, billiard room, brewery, saloon, or bar-room where intoxicating liquors are manufactured or sold. [C L 1914 s 2642j as amended by 1915 C 6018]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 18.—No person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for telegraph, telephone or messenger companies in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [C L 1914 s 2642k]

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REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of judicial or police officers and labor inspectors.—County or city, judicial or police officers may visit the factories, workshops, mines and mercantile establishments in their several towns and cities and ascertain whether any minors are employed therein contrary to the provisions of this act [s 2642a–2642x] and they shall report any cases of such illegal employment to the superintendent of schools and to the labor inspector. Labor inspectors or any city or county officer may require that the employment certificates and lists provided for in this act, of minors employed in such factories, workshops, mines or mercantile establishments, shall be produced for their inspection. Complaints for offenses under this act shall be brought by the labor inspector or other person in the same manner as provided by law for other offenses. [C L 1914 s 2642l]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; constant standing prohibited for girls under 16; employment may be prohibited by health officers in other occupations.—No child under the age of sixteen years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever, nor shall any child adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood shapers, wood joiners, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing sheet metal, wood turning or boring machinery, stamping machine in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugated rolls, such as are used in roofing factories, nor shall they be employed in operating any steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alley; they shall not operate or assist in operating dough brakes, or cracker machinery of any description, wire or iron straightening machinery, nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing or grinding or mixing mills, or calendar [calender] rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery, nor shall such children be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead, nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator, nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, nor shall females under sixteen years of age be employed in any capacity where such employment compels them to remain standing constantly. Nor shall any child under sixteen years of age be employed at any occupation dangerous or injurious to health or morals or to lives [life] or limbs, and as to those matters, the decision of the county physician or city health officer, as the case may be, shall be final. [C L 1914 s 2642m]

MANUFACTURING ESTABLISHMENTS

MINIMUM AGE AND SAFETY

Safety contrivances to be provided where children under 16 are employed; cleaning machinery in motion prohibited under 18.—It shall be the duty of the owner of any manufacturing establishment, where any person under sixteen years of age is employed, his agents, superintendents or other persons in charge of same, to furnish and supply, when practicable, or cause to be furnished and supplied to him belt shifters or other safe mechanical contrivance for the purpose of throwing belts on or off pulleys; and, whenever practicable, machinery therein shall be provided with loose belts. All vats, pans, saws, planes, cogs, gearing, belting, set screws and machinery of every description therein, which is palpably dangerous, where practicable, shall be properly guarded; and no person shall remove or make ineffective any safeguard around or attached to any planer, saw, belting, shafting or other machinery, or around any vat, or pan, while the same is in use, unless for the purpose of immediately making repairs thereto, and all such safeguards shall be properly replaced. No person under eighteen years of age shall be allowed to clean machinery while in motion. [C L 1914 s 2642n]

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TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes where girls under 16 are employed; separate dressing rooms for girls if needed.—Suitable and proper washrooms and water closets shall be provided in all manufacturing establishments, where any person under sixteen years of age is employed, and such water closets shall be properly screened and ventilated and be kept at all times in a clean condition; and if girls under sixteen years of age be employed in any such establishment, the water closet shall have separate approaches and be kept separate and apart from those used by men. All closets shall be kept free from obscene writing and marking. A dressing room shall be provided for such girls when the nature of their work is such as to require any change of clothing. [C L 1914 s 2642o]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted where girls under 16 are employed.—Every person, firm, corporation, association, individual or partnership employing girls under sixteen years in any manufacturing, mechanical or mercantile industry, laundry, workshop, renovating works, or printing offices in this State, shall provide seats for the use of the girls so employed, and shall permit the use of such by them when not necessarily engaged in the active duties for which they are employed. [C L 1914 s 2642p]

MANUFACTURING ESTABLISHMENTS

HEALTH OF MINORS

Cleanliness of walls and ceilings where minors under 16 are employed.—The walls and ceilings of each room in every manufacturing establishment where any person under sixteen years of age is employed shall be lime-washed or painted, when, in the opinion of the labor inspector, it shall be conducive to the health or cleanliness of the persons working therein. [C L 1914 s 2642q]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of grand juries, county solicitors, etc.—Grand juries and county solicitors of criminal courts of record, where such courts exist shall have inquisitorial powers to investigate violations of this act [s 2642a–2642x]; also shall [sic] county judges and circuit judges and judges of the circuit courts of the State shall specially charge the grand jury at the beginning of each term of the court to investigate violations of this act. [C L 1914 s 2642r]

Child labor law to be posted.—A copy of this act [s 2642a–2642x] shall be conspicuously posted and kept in each work-room of every manufacturing establishment, mill, mine or workshop, or mercantile or printing establishment, theatre, telegraph, telephone or public messenger company, or laundry in this State, where a child under the age of sixteen years is employed, and in every pool room or billiard room, or bowling alley. [C L 1914 s 2642s as amended by 1915 C 6918]

Appointment of State labor inspector.—For the purpose of carrying out the provisions of this act [s 2642a–2642x] the office of State labor inspector is hereby created, such office to be filled by any capable person, male or female, by appointment by the governor for a term of four years, such term to begin from and after such appointment, but said inspector shall have no power or authority except as conferred by this act. [C L 1914 s 2642t]

Act not to interfere with industrial training in schools or with children engaged in agriculture, domestic employment, or the delivery of daily papers.—Nothing in this act [s 2642a–2642x] shall prevent children of any age from receiving industrial education furnished by the United States, this State or any city or town in this State and duly approved by the State superintendent of public instruction or by other duly constituted public authority; nor shall any of the provisions of this act be considered as applying to children engaged in agricultural or domestic employment. And nothing in this act shall apply to male children employed in the delivery of newspapers to regular subscribers out of school hours. [C L 1914 s 2642w]

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REGULATED OCCUPATIONS

PENALTIES

Violation by employer, parent, etc.; employment after notification; failure to produce certificates or lists; retention of certificates by employer; false statements.—Whoever employs a minor child in violation of any of the provisions of this act [s 2642a-2642x] and whoever having under his control such child permits such child to be employed in violation of this act, shall for such offense, be fined not more than fifty dollars, and whoever continues to employ any child in violation of this act after being notified by a labor inspector or other officer thereof, shall for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. A failure to produce to any officer or labor inspector any employment certificate or list required shall be prima facie evidence of the illegal employment of any person whose employment certificate is not produced, and whose name is not so listed. Any corporation or employer retaining employment certificates in violation of section 4 [s 2642d] of this act, shall be fined ten dollars. Every person authorized to sign the certificate prescribed by section 5 [s 2642e] of this act, who knowingly certifies to any materially false statement therein shall be fined not more than fifty dollars, nor less than ten dollars. [C L 1914 s 3728a]

RAILROADS[1]

HOURS OF LABOR

Thirteen hours a day for certain employees; period of rest after 13 hours' work; exceptions; penalty.—It shall be unlawful for any railroad doing business in this State to require or permit its employees who are engaged in the business of operating its trains over its roads, to make runs of over thirteen hours, or make runs aggregating more than thirteen hours in any twenty-four hours, except when such train is detained by reason of casualty, or other cause, from reaching its destination on schedule time, and no conductors and engineers, after having been on a run or runs for as much as thirteen hours out of every twenty-four hours, shall be required to again go on duty until after eight hours' rest, except in the case above stated. No employee of any railroad company shall be deprived of his right to recover damages for personal injury by reason of the fact that he, at the time of such injury, was making a run of more than thirteen hours in twenty-four hours, or had gone on duty after a thirteen hours' run, or runs aggregating thirteen hours before eight hours' rest. Any railroad violating any of the provisions of this section shall be subject to a forfeiture of not less than fifty nor more than five hundred dollars * * *. [C L 1914 s 2843]

BUSINESS PURSUITS

SEATS

Seats to be provided for all employees and their use permitted; penalty.—If any merchant, storekeeper, [or] employer of male or female clerks, salesmen, cash boys or cash girls, or other assistants, in mercantile or other business pursuits, requiring such employees to stand or walk during their active duties, neglect[s] to furnish at their [his] own cost or expense suitable chairs, stools or sliding seats attached to the counters or walls, for the use of such employees when not engaged in their active work, and not required to be on their feet in the proper performance of their several duties; or refuse[s] to permit their [his] said employees to make reasonable use of said seats during business hours, for purposes of necessary rest, and when such use will not interfere with humane or reasonable requirements of their employment, he shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or imprisonment not exceeding sixty days. [C L 1914 s 3235]

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[1] See court decision on page 7 (New York).

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in singing, dancing, ropewalking, etc., prohibited; exceptions; penalty.—Whoever takes, receives, hires, employs, uses, exhibits or in any manner or under any pretense sells, apprentices, gives away, lets out or otherwise disposes of to any person any child under the age of fourteen years for or in the vocation, occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a contortionist, rider, acrobat, or for or in any obscene, indecent or immoral purpose, exhibition or practice, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limbs of such child, or causes or procures, or encourages any such child to engage therein, * * * or has in custody any such child for any of the purposes aforesaid, shall be fined not more than five hundred dollars, or imprisoned not more than six months. Nothing contained in this section shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any amateur concert or entertainment, or in learning the science or practice of music and social dancing. [C L 1914 s 3237]

CHILD LABOR AND VAGRANCY

Persons living on earnings of their children declared vagrants.—* * * Persons able to work but habitually living upon the earnings of their wives or minor children * * * shall be deemed vagrants, and upon conviction shall be subject to the penalty provided in section 3571. [C L 1914 s 3570]

Penalty.—* * * Any person * * * [convicted of vagrancy] shall be fined not exceeding two hundred and fifty dollars, or by imprisonment [sic] not more than six months. [C L 1914 s 3571]

ALL OCCUPATIONS

MINIMUM AGE

Employment under 15 without consent of parent, guardian, etc., prohibited; penalty.—Whoever hires or employs or causes to be hired or employed any minor, knowing such minor to be under the age of fifteen years and under the legal control of another, without the consent of those having such legal control, for more than sixty days, shall be punished by imprisonment not exceeding sixty days or by fine not exceeding twenty dollars. [C L 1914 s 3728]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Approval of act to be decided by vote.—Whenever one-fourth of the registered white voters of any special tax school district, school board district, or of any county shall file with a county board of public instruction a written petition asking for an election to be held in such special tax school district, school board district, or county, to determine whether compulsory school attendance shall prevail in either of said districts or the county, it shall be the duty of the county board of public instruction to order an election in either of said districts or the county, according as the petition may request, to decide whether the following compulsory school attendance provisions shall be enforced in said special tax school district, school board district, or county. [1915 C 6831 s 1]

Act in effect.—Should three-fifths of the votes legally cast at any such election be "For Compulsory School Attendance," then the compulsory school attendance laws hereinafter prescribed shall be in force in such territory for two years, or forever thereafter until another such election is held in compliance with the foregoing provisions; and if three-fifths or more of the votes shall be cast "Against Compulsory School Attendance," then school attendance shall not be compulsory in said territory until otherwise determined by an election held in pursuance of this act: *Provided*, That when any such election is held in a whole county, compulsory school attendance shall

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be enforced in any school board district or districts of said county wherein a three-fifths vote was cast "For Compulsory School Attendance," though a three-fifths vote of the county as a whole was cast "Against Compulsory School Attendance": *Provided also*, That when any such election is held in a whole county, compulsory school attendance shall not be enforced in any school board district or districts of said county, wherein a majority vote was cast "Against Compulsory School Attendance" though the majority vote of the county as a whole was cast "For Compulsory School Attendance." [1915 C 6831 s 7]

Notification.—The county board of public instruction of a county in which a compulsory school attendance election has been held and three-fifths of the votes legally cast at such election in a special tax school district, school board district, or in the whole county was for "Compulsory School Attendance," shall, at the first regular meeting thereafter, publish that the following compulsory school attendance laws will be in full force and effect thirty days thereafter in the special tax school district, school board district, or, in the county, as may have been determined by the said election. [1915 C 6831 s 8]

Children from 8 to 14.—Every parent, guardian, or person in charge of or control of a child or children, between the ages of eight and fourteen years and residing within a special tax school district, a school board district, or a county advertised as under the following compulsory school attendance provisions, shall cause such child or children to attend regularly the public school of the district in which the child or children reside not less than eighty days of each year, between the ages of eight and fourteen years of each child [sic]; the period of compulsory attendance shall commence with the beginning of the school term nearest to the eighth birthday of each child and shall cover a period of six consecutive years thereafter, except as hereinafter provided. [1915 C 6831 s 9]

Equivalent attendance.—Continuous attendance upon some other school, public, private, or church, for eighty days of each year during [sic] the ages of eight and fourteen of any child, may be accepted in lieu of attendance upon a local public school: *Provided further*, That any private or church school receiving for instruction pupils between the ages of eight and fourteen years shall keep such record of attendance of said child or children and will render such reports of the same, as are hereinafter required of teachers of public schools; otherwise the attendance upon any such private or church school refusing or neglecting to keep such records and to make such reports shall not be accepted in lieu of attendance upon a public school. [1915 C 6831 s 10]

Exemptions on account of poverty compelling employment; other exemptions.—This act shall not apply in any case in which the child's physical or mental conditions [sic], as attested by any competent physician before any court having jurisdiction under this act, render its attendance impracticable or inexpedient; or in any case in which the child resides more than two miles by the nearest traveled route from the school house, and transportation is not provided; or in any case of extreme poverty, in which the services of such child are necessary for its own support or the support of its parents, as attested by the affidavit of its parent or parents and of such witnesses as the attendance officer may require; or in any case in which said parent, guardian, or other person having charge or control of a child, shall show before any magistrate by affidavit of himself and of such witnesses as the attendance officer may require, that the child is without necessary books and clothing for attending school, and that the parent is unable to provide the necessary books and clothing: *Provided*, That when books and clothing shall be provided, through charity or by other means, the child shall no longer be exempt from school attendance under this provision: *Provided further*, That when a teacher is charged with inefficiency, misconduct or cruelty, such charge being made in writing and filed with the trustees of the special tax school district, or with the county board of public instruction by a parent or guardian of any child attending the school being taught by such teacher, then the attendance of such child shall not be enforced until after a full investigation of such charge has been made by the board with which same was filed and the said teacher has been acquitted or exonerated. [1915 C 6831 s 11]

Penalty.—Any parent, guardian or other person in control of a child or children, violating the provisions of this act, shall be guilty of a misdemeanor, and upon conviction by any court of competent jurisdiction shall be liable to a fine of not less than one dollar and not more than three dollars for each and every offense. And upon failure or refusal to pay such fine, said parent, guardian or other person in control of a child shall be imprisoned not to exceed thirty days in the county jail: *Provided*,

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That the fine for any first offense, may, upon payment of costs, be suspended and not collected until the same person is convicted of a second offense: *Provided further*, That after the expiration of three days from the time notice is served by the attendance officer, each and every day a parent, guardian, or other person shall wilfully and unlawfully keep such child or children from school, or allow it or them to remain out of school, shall constitute a separate offense and shall subject said person to the penalties above prescribed. [1915 C 6831 s 13]

Enforcement: appointment of attendance officers.—The county board of public instruction of any county wherein any district or the county has adopted the compulsory school attendance provisions of this act, shall have the power to appoint and fix the compensation of an attendance officer or officers, and remove the same at will. An attendance officer may be appointed for one school or for a number of schools, in the discretion of the county board of public instruction, and may be a supervisor or a trustee of a school, or any suitable person who will discharge the duties of the position, and the county board may assign an attendance officer such other duties as may be deemed advisable. [1915 C 6831 s 14]

SCHOOL CENSUS

Enumeration of children from 6 to 21.—It shall be the duty of every attendance officer to take an accurate census of every child between the ages of six and twenty-one years in his district in the month of June in each and every year on blanks furnished by the State superintendent of public instruction. He shall make three neat and legible copies of this census roll, which shall give the name, sex, date of birth, the name of the parent or guardian, with the postoffice, of every child and any additional information demanded. One copy of this census shall be filed with the State superintendent of public instruction, one copy with the county superintendent of public instruction, by the first day of July in each and every year, and one copy shall be preserved for his own use, and he shall furnish the principal of each school within his jurisdiction with a list of the names of children due to attend the school of which the principal is in charge, and the county board of public instruction shall ascertain without charge the number of pupils contained in said list. [1915 C 6831 s 15]

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of attendance officers.—The attendance officer shall serve a written or printed notice, or partly written and partly printed notice, upon every parent, guardian, or other person having control of a child or children, violating the provisions of this act, and prompt compliance on the part of the parent, guardian or other person shall be required. If any parent, guardian, or other person upon whom such notice is served, fails to comply with the law within three days thereafter, then it shall be the duty of the attendance officer upon the recommendation of the board of public instruction to prosecute forthwith such person in the name of the State of Florida, before any justice of the peace, or county judge, of any county, town or district in which the prosecuted resides. All fines collected shall be turned over to the custodian of the county school fund, and may be used by the county board of public instruction for the enforcement of this act, or for other purposes. [1915 C 6831 s 16]

Enforcement: powers of attendance officers; evidence of age may be required for employed children apparently under school age.—The attendance officer shall have the right to visit and enter any office, factory, or business house employing youth, for the purpose of enforcing the provisions of this act; when doubt exists as to the age of a child he may require a properly attested birth certificate or affidavit as to the age of any child. [1915 C 6831 s 17]

Enforcement: duties of attendance officers; annual reports.—Every attendance officer shall keep an accurate record of all notices served, all cases prosecuted, and all other services performed, and shall make an annual report of the same to the county board of public instruction, on blanks furnished by the State superintendent of public instruction, in the manner required, and oftener when demanded by the county board. [1915 C 6831 s 18]

Enforcement: duties of principals and teachers.—It shall be the duty of all principals and teachers to cooperate with the attendance officer in the enforcement of this law. To this end it shall be the duty of the principal or teacher in charge of every school, in which pupils between the ages of eight and fourteen years are instructed, to keep an accurate record of the attendance of all pupils, to render weekly reports to the

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attendance officer and the county superintendent of public instruction, of all pupils imperfect in attendance, showing all absences, excused and unexcused, and in the case of an excused absence to state the reason for which the pupil was excused. [1915 C 6831 s 19]

Act to be published.—It shall be the duty of the county board of public instruction of each county to cause this act to be published, separate and distinct from the publication of the acts of the legislature, in full in some newspaper published in the county, if there be one, and if there be none, then to distribute and give it the widest circulation in the form of a circular at least four weeks prior to the opening of the schools for the school year, beginning July 1, 1915, and annually thereafter if in their discretion it be necessary. [1915 C 6831 s 20]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors or females in saloons, etc., prohibited.—It shall be unlawful for any person keeping or carrying on, either by himself or another, a place where intoxicating liquors, wines or beer are sold by retail or wholesale to employ a minor or female in his place of business. [1915 C 6860 s 4]

Application of act.—In this act, unless the context otherwise requires, "persons" includes a body of persons whether incorporated or not. [1915 C 6860 s 12]

Penalty.—That any person violating any of the foregoing provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, his license shall be forfeited and he shall be fined not more than one thousand dollars ($1,000.00) or imprisoned in the county jail not exceeding twelve (12) months. [1915 C 6860 s 13]

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GEORGIA

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of commissioner of commerce and labor.—Said commissioner [of commerce and labor] shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, especially those concerning the employment of child labor, and of women, and he shall take legal steps looking to the proper enforcement and due observance of such laws. [Code 1914 Political section 2141]

ALL OCCUPATIONS

EMPLOYMENT CERTIFICATES

Evidence of age.—At the expiration of six years after the approval of this law [s 1676m–1676mm], [Registration of births * * * 1914 pp 157–174] certified copies of birth registration certificates shall be accepted by the public school authorities of this State as prima facie evidence of age of children registering for school attendance and no other proof shall be required. At the expiration of fourteen years from the passage of this law, certified copies of birth registration certificates shall be required by all factory inspectors, and employers of youthful labor, as prima facie proof of age and no other proof shall be required from children born in this State, or States, which for fourteen years previous to the date of such certificate have had registration laws essentially identical with this law: *Provided*, That, when it is not possible to secure such certified copy of birth registration certificate for any child, the school authorities and factory inspectors may accept as secondary proof of age any competent evidence by which the age of persons is usually established. [C 1914 Civil s 1676gg]

RAILROADS[1]

MINIMUM AGE

Employment of telegraph operators under 18 prohibited.—No railroad company shall employ in this State any telegraph operator to receive and transmit dispatches governing the movement of trains, who is less than eighteen years of age * * *. [C 1914 Civ s 2690]

Penalty.—Any railroad company violating the requirements of the preceding section shall forfeit for each offense not less than fifty dollars, and not more than five hundred dollars. * * * [C 1914 Civ s 2691]

[1] See court decision on page 7 (New York).

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HOURS OF LABOR

Period of rest after 13 hours' work; exceptions.—No railroad doing business in this State shall require or permit its employees, who are engaged in the business of operating its trains over its roads, to make runs of over thirteen hours, or make runs aggregating more than thirteen hours in any twenty-four hours, except when such train is detained by reason of casualty, or other cause, from reaching its destination on schedule time, and no trainmen, after having been on a run or runs for as much as thirteen hours out of the twenty-four hours, shall be required to again go on duty until after ten hours rest, except in the case above stated. No employee of any railroad company shall be deprived of his right to recover damages for personal injury by reason of the fact that he, at the time of such injury, was making a run of more than thirteen hours, or making a run aggregating more than thirteen hours in twenty-four hours, or had gone on duty after a thirteen hours run, or runs aggregating thirteen hours before ten hours rest. [C 1914 Civ s 2693]

Penalty.—Any railroad violating any of the provisions of the preceding section, shall be subject to a forfeiture of not less than fifty nor more than five hundred dollars * * *. [C 1914 Civ s 2694]

ALL OCCUPATIONS

WAGES

Wages of minor belong to parent; exception.—Until majority, the child remains under the control of the father, who is entitled to his services and the proceeds of his labor. This parental power is lost—

* * * * * * *

4. By his consent to the child receiving the proceeds of his own labor, which consent shall be revocable at any time * * * [C 1914 Civ s 3021]

COTTON AND WOOLEN MANUFACTURING ESTABLISHMENTS

HOURS OF LABOR

Ten hours a day, 60 a week, for all employees; exceptions; certain employees excepted.—The hours of labor required of all persons employed in all cotton or woolen manufacturing establishments in this State, except engineers, firemen, watchmen, mechanics, teamsters, yard employees, clerical force, and all help that may be needed to clean up and make necessary repairs or changes in or of machinery, shall not exceed ten hours per day; or the same may be regulated by employers, so that the number of hours shall not in the aggregate exceed sixty hours per week: *Provided*, That nothing herein contained shall be construed to prevent any of the aforesaid employees from working such time as may be necessary to make up lost time, not to exceed ten days, caused by accidents or other unavoidable circumstances. [C 1914 Civ s 3137]

Contracts for longer time to be void.—All contracts made or entered into, whereby a longer time for labor than is provided in the foregoing section shall be required of said employees, shall be absolutely null and void, so far as the same relates to the enforcement of said contracts with said employees, any law, usage, or custom to the contrary notwithstanding. [C 1914 Civ s 3138]

Penalty for making, etc. contracts in violation.—Any cotton or woolen manufacturing establishment that shall make or enforce any contract in violation of the foregoing section, with any person as an employee therein, shall be subject to a forfeiture of an amount not less than twenty and not more than five hundred dollars for each and every such violation. [C 1914 Civ s 3139]

Prosecution.—Any person with whom said contract is made, or any person having knowledge thereof, shall be competent to institute suit against said cotton or woolen manufacturing establishment * * *. [C 1914 Civ s 3140]

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OTHER MANUFACTURING ESTABLISHMENTS AND MACHINE SHOPS

HOURS OF LABOR

From sunrise to sunset for persons under 21; contracts for longer time to be void.—The hours of labor by all persons under twenty-one years of age, in all other manufacturing establishments or machine shops in this State, shall be from sunrise until sunset, the usual and customary time for meals being allowed from the same; and any contract made with such persons or their parents, guardians, or others, whereby a longer time for labor is agreed upon or provided for, shall be null and void, so far as relates to the enforcement of said contracts against such laborers. [C 1914 Civ s 3141]

MANUFACTURING ESTABLISHMENTS

CORPORAL PUNISHMENT

Corporal punishment of minors prohibited.—No boss or other superior in any manufacturing establishment shall inflict corporeal [corporal] punishment upon minor laborers; and the owners of such factory or machine shop shall be directly liable for all such conduct on the part of their employees; and such minor may sue in his own name for damages for such conduct, and the recovery shall be his own property, and not belong to his parents. [C 1914 Civ s 3142]

MANUFACTURING ESTABLISHMENTS, MILLS, PLACES OF AMUSEMENT, ETC.

MINIMUM AGE

Employment under 14 prohibited; children from 12 to 14 exempted on account of poverty.—No child under the age of fourteen years shall be employed by, or permitted to work in or about, any mill, factory, laundry, manufacturing establishment, or place of amusement; except that children over twelve years of age, who have widowed mothers dependent upon them for support, or orphan children over twelve years of age dependent upon their own labor for support, may work in factories and manufactories; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 3149 (e). [C 1914 Civ s 3149 (a)]

Court decisions.—Under a former section, employment of a child in violation of child labor act was held negligence per se, rendering the employer liable for resulting injuries.—Elk Cotton Mills *v.* Grant, 140 Ga. 727, 79 S. E. 836 (1913).
Children under 14 employed in a cotton factory do not assume the risks of dangers not within the scope of their capacity to avoid.—Beck *v.* Standard Cotton Mills, 1 Ga. App. 278, 57 S. E. 998 (1907).

EMPLOYMENT CERTIFICATES

Certificates and lists required under 14 years and 6 months; school authorities to issue certificates; educational requirements; poverty exemptions.—No child under fourteen years and six months shall be employed or permitted to work in any of the establishments or occupations mentioned in section 3149 (a), unless the person, firm or corporation employing such child has and keeps on file accessible to the officials charged with the enforcement of this article [s 3149 (a)–3149 (h)], a certificate from the superintendent of schools in the county or city in which such child resides, that such child is not less than fourteen years of age, has attended school for not less than twelve weeks of the twelve months preceding the date of issuance of such certificate; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 3149 (e). [C 1914 Civ s 3149 (b)]

Contents, method of issuing, and revocation of certificates; copy to be filed with commissioner of labor; poverty exemptions.—The certificate mentioned in the foregoing section shall state the full name, date and place of birth of the child, with the name and address of the parent, guardian, or person sustaining the parental relationship to such child, and that the child has appeared before the officer, and satisfactory evidence submitted that the child is of legal age. Blank forms of these certificates shall be furnished by the commissioner of labor to the superintendent of schools in the respective cities and counties. A duplicate copy of each certificate shall be filed with the commissioner of labor within four days from its issuance. The commissioner of labor may at any time revoke any certificate if, in his judgment, the certificate was im-

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properly issued. He is authorized to investigate the true age of any child employed, hear evidence, and require the production of relevant books or documents. If the certificate is revoked, the then employer shall be notified, and said child shall not thereafter be employed or permitted to labor until a new certificate has been legally obtained; except that the foregoing provisions of this section shall not be applicable in instances specified and provided for in section 3149 (e). [C 1914 Civ s 3149 (c)]

HOURS OF LABOR

Night work prohibited under 14 years and 6 months.—No child under fourteen years and six months of age shall be permitted to work in or about any of the establishments mentioned in section 3149 (a), or section 3149 (b), between the hours of 7 p. m. and 6 a. m., according to the standard time of the community in which such establishment is located. [C 1914 Civ s 3149 (d)]

EXEMPTIONS

Employment permitted from 12 to 14 on account of poverty; certificates required; method of issuing; school attendance may be required.—It shall be lawful for a child twelve years of age or more to work in and for a mill, factory, laundry, manufacturing establishment or place of amusement if such child has dependent upon his labor a widowed mother or if such child is an orphan dependent upon his own labor. Whenever such child desires to work in any of such places as is [are] specified above, the fact that such child's labor is necessary to support a widowed mother or to support such orphan child must be found to be true after an investigation by a commission composed of the county school superintendent and the ordinary of the county where the work is to be done, and the head of the school in the school district where the said child lives. After an investigation by said commission if it or a majority of its members find that the facts exist to authorize such child to work in or for any of the establishments mentioned in section 3149 (a), because of the existence of either of the conditions hereinbefore set out, such commission shall issue a certificate to that effect which shall be kept of [on] file in the office of the establishment where said child is at work. Such commission shall make an investigation and issue a new certificate at least once each six months and may prescribe as a condition precedent to issuance of such certificate school attendance for such length of time and at such time as in its discretion seems wise. No such certificate more than six months old shall authorize the employment of any child under fourteen and one-half years of age in or for any of the places specified in section 3149 (a). [C 1914 Civ s 3149 (e)]

ENFORCEMENT

Duties of commissioner of labor.—It shall be the duty of the commissioner of labor and his authorized assistants to see that the provisions of this article [s 3149 (a)–3149 (h)] are enforced. [C L 1913 Civ s 3149 (f)]

Violation by employer, parent, school authorities, etc., a misdemeanor.—Any person, agent, or representative of any firm or corporation violating any of the provisions of this article [s 3149 (a)–3149 (h)]; or any parent, guardian or other person standing in parental relationship to any child, who shall hire or place for employment or labor any child under the age limits in any of the establishments or occupations mentioned in section 3149 (a); or any superintendent of county or city schools who shall issue a certificate knowing that its issuance was illegal; or any person who shall knowingly furnish any untrue evidence with reference to the date or place of birth of said child, or the age of said child, or its educational qualifications, shall be guilty of a misdemeanor, and upon conviction shall be punished accordingly.[1] [C 1914 Civ s 3149 (g)]

Court decision.—Under a former act, employment of a child in violation of similar provisions was held negligence per se.—Platt *v.* Southern Photo Material Co., 4 Ga. App. 169, 60 S. E. 1068 (1908).

[1] For penalty for misdemeanor, see page 8 (Code 1914, Penal, section 1065).

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MESSENGERS

HOURS OF LABOR

Night work prohibited under 16.—No minor under 16 years of age shall be employed in the delivery of messages by any concern or person engaged in the messenger service business, or in the general work of the messenger service between the hours of nine p. m. and six a. m. [C 1914 Civ s 3149 (i)]

Violation a misdemeanor.—Any person, firm, or corporation, violating the provisions of section 3149 (i) of the Civil Code, relating to the employment of minors as messengers, or any of them, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as prescribed in section 1065 of this Code. [C 1914 Penal s 759 (b)]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted; violation a misdemeanor.—All persons and corporations employing females in manufacturing, mechanical or mercantile establishments, must provide suitable seats, and permit their use by such females when not necessarily engaged in the active duties for which they were employed. Any person who shall fail to comply with the requirements of this section, and the officers of any corporation which shall fail to comply with said requirements, shall be guilty of a misdemeanor.[1] [C 1914 Pen s 130]

INTOXICATING LIQUORS

MINIMUM AGE

NOTE.—[Section 445, volume 3, of the Code of 1895, prohibiting the employment of minors in saloons, etc., and making the violation a misdemeanor, is omitted in the Code of 1914 as it is apparently made inoperative by sections 426-428 of the Code of 1914, Penal, prohibiting the sale of intoxicating liquors throughout the State.]

CHILD LABOR AND VAGRANCY

Certain persons hiring out their children declared vagrants; violation; enforcement; misdemeanor.—Vagrants are—

* * * * * * *

7. All persons who are able to work and do not work, and who have no property or other means of support, but hire out their minor children and live upon their wages * * *.

* * * * * * *

It shall be the duty of the sheriff and constables in every county, the police and town marshal, or other like officials in every town and city in this State, to give information, under oath, to any officer empowered by law to issue criminal warrants, of all vagrants within their knowledge or whom they have good reason to suspect as being vagrants, in their respective counties, towns, and cities; thereupon the said officer shall issue a warrant for the apprehension of the person alleged to be a vagrant, and upon being brought before him, and probable cause being shown, the said officer shall bind such person over to any court of the county having jurisdiction in misdemeanor cases. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.[1] [C 1914 Pen s 449]

[1] For penalty for misdemeanor, see page 8 (Code 1914, Penal, section 1065).

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 12 in rope walking, gymnastics, circus riding, etc., prohibited.—Any person who shall sell, apprentice, give away, let out, or otherwise dispose of any child under twelve years, to any person, for the vocation, occupation, or service of rope or wire walking, begging, or as a gymnast, contortionist, circus rider, acrobat, or clown, or for any indecent, obscene, or immoral exhibition, practice, or purpose, shall be guilty of a misdemeanor.[1] [C 1914 Pen s 756]

Violation a misdemeanor.—Whenever a child shall be disposed of in violation of the preceding section, the person who, under such selling, apprenticing, or letting out, shall receive and use such child for any of the purposes condemned in said section, shall be guilty of a misdemeanor.[1] [C 1914 Pen s 757]

ALL REGULATED OCCUPATIONS

PENALTIES

Misdemeanor.—Except where otherwise provided, every crime declared to be a misdemeanor is punishable by a fine not to exceed one thousand dollars, imprisonment not to exceed six months, to work in the chaingang on the public roads, or on such other public works as the county or State authorities may employ the chaingang, not to exceed twelve months, any one or more of these punishments in the discretion of the judge * * *. [C 1914 Pen s 1065]

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[1] For penalty for misdemeanor, see page 8 (Code 1914, Penal, section 1065).

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HAWAII

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 6 to 15; exemptions from 13 to 15 under certain conditions if suitably employed; other exemptions.—The attendance of all children from six to fifteen years of age, at either a public or private school, is obligatory, and it shall be incumbent upon all parents, guardians and others having the responsibility and care of children of such ages, to send them to some such school: *Provided*, That when a child has reached the age of twelve years and has not completed the fourth grade of the primary school, he shall be eligible for instruction only in an industrial school or vocational school, provided there is such a school within four miles of his home or suitable transportation to such a school has been provided: *And provided also*, That such attendance shall not be compulsory in the following cases:

First. Where the distance to the nearest school exceeds four miles and no suitable transportation is provided;

Second. When such child shall be physically or mentally unable to attend school, of which fact the certificate of a duly licensed physician shall be sufficient evidence;

Third. When a competent person is employed as tutor in the family wherein such child resides and proper instruction is thereby imparted;

Fourth. Where any child of not less than the age of thirteen years shall have passed the required examinations of both primary and grammar school grades, as such requirements shall from time to time exist: *Provided*, He shall be suitably employed;

Fifth. When any child of not less than fourteen years of age is suitably employed under the direction of his parent or guardian;

Sixth. Where upon investigation by the juvenile court, when feasible, or by the district magistrate, it has been shown that for any other reason the child may properly remain away from school. [Revised Laws 1915 section 286]

Penalty; exception.—If any child of school age shall persist in absenting himself or herself from school, any district magistrate shall, upon a proper complaint being made by the school teacher or any other officer or agent of the department, or any deputy sheriff, or police officer, or any other person, cause such child, and the father and mother, guardian or other person having the charge of such child, to be summoned to appear before such magistrate, and upon its being proved that the person responsible for the child had not used proper diligence to enforce the child's regular attendance at school, such responsible party shall be punished by a fine in a sum not less than five (5) and not exceeding fifty dollars ($50.00), or by imprisonment for not more than two months. * * * *Provided, however*, That the provisions of this section shall not apply to any child not liable to compulsory attendance at school. [R L 1915 s 287 as amended by 1915 A 92]

Enforcement; duties of deputy sheriffs, etc.—It shall be the duty of each deputy sheriff, or such police officers as he shall designate, to not less than once each week visit each public school within the district of which he is deputy sheriff, to ascertain from the teacher or other officer or agent of the department of public instruction in charge thereof what children, if any, of school age persist in absenting themselves from such school. It shall further be the duty of such deputy sheriffs and police officers to require all children under school age, in accordance with the provisions of section 287, to attend school whether or not complaint is made by any teacher or other officer or agent of said department of public instruction. [R L 1915 s 288 as amended by 1915 A 92]

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IMMIGRANTS

ENFORCEMENT OF COMPULSORY EDUCATION LAWS

Duties of board of immigration, labor, and statistics.—The board [of immigration, labor, and statistics] shall procure complete lists, giving the names, ages and destination within the Territory of all immigrant children of school age, as soon as may be after their arrival, and such other facts as will tend to identify them, and shall forthwith deliver copies of such lists to the superintendent of public instruction to aid in the enforcement of the provisions of the laws relating to the compulsory attendance at school of children of school age. * * * [R L 1915 s 649]

ALL OCCUPATIONS

MINIMUM AGE

Inducing minors to leave home for employment.—No emigrant agent [any person engaged in soliciting, inducing, procuring, or hiring laborers to go beyond the limits of the Territory of Hawaii] shall recruit and take away from the Territory of Hawaii any minor without the written consent of the parents or guardian of said minor, and in case said minor has no parent or guardian, then of the attorney general of the Territory, and said emigrant agent shall file said written consent in the office of said treasurer.[1] [R L 1915 s 2020]

Penalty.—Any person * * * who shall violate any provisions of * * * [s 2016–2024] shall be guilty of a misdemeanor, and upon conviction shall forfeit his license, if he has one, and shall be punished by a fine not exceeding one thousand dollars or by imprisonment for not more than one year, or by both such fine and imprisonment. [R L 1915 s 2024]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors in saloons prohibited; penalty.—Licenses shall be subject to the following conditions and provisions:

* * * * * * *

(4) No holder of a license for a saloon business shall employ any minor in or about the room or place where intoxicating liquors are furnished or sold;

* * * * * * *

(10) For the violation of any of said conditions or laws the licensee shall become liable to all penalties and prosecutions provided by law with respect thereto, in addition to and independently of any action of the board with respect to his license. [R L 1915 s 2130]

Revocation of license.—In the exercise of the power and authority by this chapter [s 2101–2170] conferred, each board of license commissioners may revoke any license issued by virtue of its approval, or suspend the right of the licensee to use his license, or reprimand a licensee, either for the violation of any condition of such license, or upon the conviction at law of a licensee of the violation of any of the provisions of law relative to his license or the proper exercise thereof, or for any other cause deemed sufficient by the board * * *. [R L 1915 s 2131]

Enforcement: duties and powers of license inspectors, etc.; penalty for hindering inspector, etc.—It shall be the duty of every [license] inspector [appointed by the board of license commissioners], and it shall be lawful for any member of the board or any officer of the police force of the Territory, at all reasonable times, and at any time whatsoever, if there be any reason for any suspicion that the conditions of any license are being violated, without warrant to enter into and upon any licensed premises and inspect the same and every part thereof, to ascertain whether or not all conditions of the license and all provisions of this chapter [s 2101–2170] are being complied with. Whenever any such officer, or any person called by him to his aid, is hindered, obstructed or prevented by any licensee or his employees from entering into any such premises; or whenever any such officer is by any licensee or his employees prevented or hindered from, or opposed, or obstructed, or molested in the performance of his duty under this chapter in any respect, such licensee and every person who shall have

[1] The treasurer of any county or city and county of the Territory of Hawaii.

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assisted him in such offense, shall be guilty of a misdemeanor and on conviction thereof, be fined in a sum not to exceed one thousand dollars * * *. [R L 1915 s 2136]

Enforcement: duties of license inspectors and police officers.—Any inspector or police officer who observes any violation of any of the provisions of this chapter [s 2101–2170], shall forthwith arrest such licensee without warrant; and any citizen who observes any such violation shall forthwith report the same to the inspector or to the police. [R L 1915 s 2137]

General penalty.—Any licensee or other person who violates any of the provisions of this chapter [s 2101–2170] for which a penalty is not otherwise prescribed, shall be guilty of a misdemeanor and on conviction thereof be fined not less than fifty dollars nor more than five hundred dollars, or be imprisoned not less than one month nor more than three months, or both. [R L 1915 s 2160]

MANUFACTURING, MERCANTILE, AND CANNING ESTABLISHMENTS, ETC.

HOURS OF LABOR

Night work prohibited for girls under 16.—No minor female child under the age of sixteen years shall be permitted to work in any mercantile institution, office, laundry, manufacturing establishment, canning establishment, sugar mill, work shop, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, between the hours of nine o'clock in the evening and six o'clock in the morning. [R L 1915 s 4197]

Penalty.—Any person who employs any such child at any of the aforesaid employments or occupations within the hours specified in the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [L R 1915 s 4198]

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Attendance at school from 6 to 18 may be required by law; exemptions.—* * * The legislature may require by law that every child of sufficient mental and physical ability shall attend the public school throughout the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means. [Constitution article 9 section 9]

MINES

MINIMUM AGE

Employment under 14 in underground mines prohibited.—The employment of children under the age of fourteen (14) years in underground mines is prohibited. [Con art 13 s 4]

MINES AND SMELTERS

HOURS OF LABOR

Eight hours a day underground; exceptions.—The period of employment of working men in all underground mines or workings shall be eight hours per day, except in cases of emergency where life or property is in imminent danger. [Revised Codes 1908 Political title 8 section 1463]

Eight hours a day in smelters, etc.—The period of employment of working men in smelters, ore reduction works, stamp mills, concentrators and other places where metalliferous ores are being treated, refined and reduced for the purpose of obtaining the metals thereof, shall be eight (8) hours per day except in cases of emergency where life or property is in imminent danger. [R C 1908 Pol t 8 s 1464 as amended by 1909 p 4]

Penalty.—Any person, body corporate, agent, manager or employer who shall violate any of the provisions of the two preceding sections shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. [R C 1908 Pol t 8 s 1465]

NOTE.—[Section 201 of the Revised Codes provides for an inspector of mines, but his duties relate only to safety and the gathering of statistics.]

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ALL OCCUPATIONS

WAGES

Payment to minor; parent may claim.—The wages of a minor employed in service may be paid to him, unless, within thirty days after the commencement of the service, the parent or guardian entitled thereto gives the employer notice that he claims such wages. [R C 1908 Civil t 3 C 1 s 2697]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21.—The clerk of the board of trustees shall, on the first Tuesday of September of each year, proceed to enumerate the children of school age in his district, employing assistant enumerators if necessary, and he shall not enumerate any except bona fide residents thereof, and the board of trustees shall cause a true and certified copy of said census to be transmitted to the county superintendent. School age, as herein used, is defined as applying to all persons between the ages of six (6) and twenty-one (21) years, said census to be completed and filed by the third Tuesday in September. * * * [1911 C 159 s 58 (k) as amended by 1913 C 115]

COMPULSORY SCHOOL ATTENDANCE

Penalty; parent, etc., of juvenile disorderly person.—In all cases where any child shall be * * * a juvenile disorderly person, as defined by this act, the parent or parents, legal guardian, or person having the custody of such child, or any other person responsible for, or by any act encouraging, causing or contributing to the delinquency of such child, shall be guilty of a misdemeanor, and upon trial and conviction thereof shall be fined in a sum not to exceed three hundred dollars ($300), or imprisonment [imprisoned] in the county jail for a period of not exceeding six months, or shall suffer both fine and imprisonment. The court may impose conditions upon any person found guilty under this act, and so long as such person shall comply therewith to the satisfaction of the court, the sentence imposed may be suspended. [1911 C 159 s 159]

Children from 8 to 18; exemptions from 14 to 18 on account of poverty; other exemptions; method of securing exemption.—In all districts of this State, all parents, guardians, and other persons having care of children shall instruct them, or cause them to be instructed, in reading, writing, spelling, English grammar, geography and arithmetic. In such districts, every parent, guardian or other person having charge of any child between the ages of eight (8) and eighteen (18) years, shall send such child to a public, private or parochial school for the entire school year during which the public schools are in session in such district: *Provided however*, That this chapter shall not apply to children over fourteen (14) years of age, where such child shall have completed the eighth (8) grade, or may be eligible to enter any high school in such district, or where its help is necessary for its own use or its parents' support, or where for good cause shown it would be for the best interest of such child to be relieved from the provisions of this chapter: *Provided further*, That if a reputable physician within the district shall certify in writing that the child's bodily or mental condition does not permit its attendance at school, such child shall be exempt during such period of disability from the requirements of this chapter. It shall be the duty of the superintendent of the school district, if there be such superintendent, and if not, then the county superintendent of schools, to hear and determine all applications of children desiring, for any of the causes mentioned here, to be exempted from the provisions of this chapter, and if upon such application such superintendent, hearing the same, shall be of the opinion that such child for any reason is entitled to be exempted as aforesaid, then such superintendent shall issue a written permit to such child, stating therein his reason for such exemption. An appeal may be taken from the decision of such superintendent so passing upon such application, to the probate court of the county in which such district lies, upon such child making such application and filing the same with the clerk or judge of said court, within ten days after its refusal by such superintendent, for which no fee to exceed the sum of one dollar ($1.00) shall be charged, and the decision of the probate court shall be final. An application for release from the provisions of this chapter shall not be renewed oftener than once in three months. [1911 C 159 s 160]

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Truant declared juvenile disorderly person.—Every child within the provisions of this chapter who does not attend school, as provided in the preceding section, * * * or who is an habitual truant from school, * * * shall be deemed a juvenile disorderly person, and be subject to the provisions of this chapter. [1911 C 159 s 161]

ENFORCEMENT

General provisions.—The compulsory education law shall be the provisions of section 160 [quoted above] * * * of this act. * * * [1911 C 159 s 146]

Duties of clerk of school board.—It shall be the duty of the clerk of the board of school trustees of each district, on or before the third Monday in September, to furnish or cause to be furnished to the head teacher of the schools in his district a list of all the children in the school district between the ages of eight (8) and eighteen (18) years, said list to be taken from the report of the school's census marshal for the current year. [1911 C 159 s 148]

Duties of teachers.—(a) It shall be the duty of the head teacher of each district to check or cause to be checked the enrollment of the school against the report furnished by the clerk as aforesaid, and to report to the county superintendent all pupils not in attendance who are within the ages of eight (8) and eighteen (18) and who have no release from school.

(b) At the beginning of each month thereafter it shall be the duty of such head teacher to report to the county superintendent, the names of all children between eight (8) and eighteen (18) not bearing releases who failed to attend school during the preceding month. It shall be the duty of the county superintendent to refuse to countersign the teachers' warrants until such reports are made as herein provided: *Provided*, That districts having a superintendent of schools shall not report to the county superintendent but shall proceed through their district superintendent in the same manner as herein provided for county superintendents. [1911 C 159 s 149]

Duties of county superintendents.—Upon the receipt of such report the county superintendent shall promptly give to the probation officer the names of all pupils who do not bear releases from school issued by proper authority. [1911 C 159 s 150]

Duties of probation officers.—The probation officer shall serve due notice upon the parents and guardians to place such children in school. If said children are not placed within school within a reasonable time and are not entitled to bear a release, then the child and the parent or guardian shall be proceeded against as provided in the laws for the correction of delinquent children. It shall be the duty of the probation officer to prefer such complaints. [1911 C 159 s 151]

Appointment, duties, and powers of probation officers.—The probate courts of the several counties in this State shall have authority to appoint or designate one or more discreet persons of good moral character to serve as probation officers during the pleasure of the court * * *. The number of said probation officers appointed and designated by the court shall be as follows: In counties in which the last school census shows a school population of over five thousand (5,000) not to exceed two (2) probation officers; in all other counties not to exceed one (1) probation officer. * * * Probation officers provided for by this chapter are hereby vested with all power and authority of sheriffs, constables and police officers to make arrests and perform other duties incident to their offices as probation officers. [1911 C 159 s 163]

MINES, FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited in these occupations, in apartment houses, messenger, telephone, and telegraph service, etc., and in any business or service during school hours or at night; exemptions over 12 during vacations.—No child under fourteen (14) years of age shall be employed, permitted or suffered to work in or in connection with any mine, factory, workshop, mercantile establishment, store, telegraph or telephone office, laundry, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages. It shall be unlawful for any person, firm or corporation to employ any child under fourteen (14) years of age in any business or service whatever during the hours in which the public schools of the district in which the child resides are in session, or before the hour of six (6) o'clock in the morning, or after the hour of nine (9) o'clock in the evening: *Provided*, That any such child over the age of twelve (12) years may be employed at any of the occupations mentioned in this act during the regular vacations of two weeks or more of the public schools of the district in which such child resides. [1911 C 159 s 166]

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ANY GAINFUL OCCUPATION

EDUCATIONAL REQUIREMENTS

Ability to read and write, etc., required for employment under 16 during school hours.—No minor who is under sixteen (16) years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the school district in which he resides are in session, unless he can read at sight and write legibly simple sentences in the English language, and has received instructions in spelling, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions, or has similar attainments in another language. [1911 C 159 s 167]

MINES, FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

AGE RECORDS

Lists required from 14 to 16 in these occupations and in messenger, telegraph, and telephone service, etc.; age record, etc.—Every person, firm, corporation, agent or officer of a firm or corporation employing or permitting minors under sixteen (16) years of age and over fourteen (14) years of age to work in any mine, factory, workshop, mercantile establishment, store, telegraph or telephone office, laundry, restaurant, hotel, apartment house, or on [in] the distribution or transmission of merchandise or messages, shall keep a record of the names, ages, and place of residence of such minors. [1911 C 159 s 168]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Nine hours a day, 54 a week, and night work prohibited, under 16.—No person under the age of sixteen (16) years shall be employed or suffered or permitted to work at any gainful occupation more than fifty-four (54) hours in any one (1) week, nor more than nine (9) hours in any one (1) day; nor before the hour of six (6) o'clock in the morning nor after the hour of nine (9) o'clock in the evening. [1911 C 159 s 169]

REGULATED OCCUPATIONS

PENALTIES

Employment under 16—employer, parent, etc.; employment after notification; failure to produce age record; false statements by parent, etc.—Whoever employs a child under sixteen years of age, and whoever having under his control a child under such age permits such child to be employed in violation of sections * * * [166, 167] shall, for such offense, be fined not more than fifty dollars ($50), and whoever continues to employ any child in the violation of either of said sections of this act after being notified by a truant officer, probation officer or school authority shall, for every day thereafter that such employment continues, be fined not less than five dollars ($5) nor more than twenty dollars ($20). A failure to produce to a truant officer, policeman, probation officer or school authority, the age record required by this act shall bo prima facie evidence of the illegal employment of any person whose age record is not produced. Any parent, guardian or custodian of a minor under sixteen (16) years of age who knowingly swears falsely as to the age of such child for the purpose of obtaining an age record is guilty of perjury.[1] [1911 C 159 s 170]

[1] Perjury is punishable by imprisonment in the State prison not less than 1 nor more than 14 years.

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in rope walking, dancing, acrobatic performances, etc., immoral exhibitions, etc., prohibited; exceptions; penalties; employer, parents, etc.—Any person, whether as parent, relative, guardian, employer or otherwise, having the care, custody or control of any child under the age of sixteen years, who exhibits, uses or employes [employs] in any manner or under any pretense, sells, apprentices, gives away, lets out or disposes of such child to any person, under any name, title or pretense, for or in any business, exhibition or vocation, injurious to the health or dangerous to the life or limb of such child, or in or for the vocation, occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, acrobat, or contortionist, or rider, or in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for or in any mendicant, or wandering business whatsoever, or who causes, procures or encourages such child to engage therein, is guilty of a misdemeanor, and punishable by a fine of not less than fifty dollars ($50) nor more than two hundred and fifty dollars ($250), or by imprisonment in the county jail for a term not exceeding six (6) months or by both such fine and imprisonment. Every person who takes, receives, hires, employs, uses, exhibits, or has in custody any child under the age and for any of the purposes mentioned in this section is guilty of a like offense and punishable by like imprisonment. Nothing in this section contained applies to or affects the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning of the science or practice of music. [1911 C 159 s 171]

Sending minors to saloons, immoral places, etc., and employment of minors to serve or handle intoxicating liquors prohibited; penalty.—Any person, whether as parent, guardian, employer or otherwise, and any firm or corporation, who as employer or otherwise, shall send, direct, or cause to be sent or directed any minor, to any saloon, gambling house, house of prostitution or other immoral place; or who shall employ any minor to serve intoxicating liquors to customers, or who shall employ a minor in handling intoxicating liquor or packages containing such liquors in a brewery, bottling establishment or other place where such liquors are prepared for sale or offered for sale, shall, for each offense, be punished by a fine of not less than fifty dollars ($50) or imprisonment for not less than two (2) months or by both such fine and imprisonment. [1911 C 159 s 172]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of probation officers and school trustees; prosecutions.—The probation officer, or in counties where there is no probation officer, one or more of the school trustees shall visit the various places of employment mentioned in sections 166 and 172 of this act and ascertain whether any minors are employed therein contrary to the provisions of this act, and they shall bring complaint for offenses under this act to the attention of the prosecuting attorney for prosecution, but nothing herein shall be held to prohibit any reputable citizen from bringing complaint for violations of this act. All offenses under this act shall be prosecuted in the probate court. [1911 C 159 s 173]

Duties of State board of education, etc.—Acting through its own executive officers, the State board of education and the board of regents of the University of Idaho shall,

1. * * * Enforce the school laws of the State * * *.

* * * * * * *

7. In co-operation with other departments of the State government, * * * see to it that the rules relating to schools, health, compulsory education, child labor and child conservation are enforced, and, in addition, shall plan an active campaign for the public conservation of childhood. [1913 C 77 s 7]

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MECHANICAL, MERCANTILE, TELEPHONE, AND TELEGRAPH ESTABLISHMENTS, ETC.

HOURS OF LABOR AND SEATS FOR GIRLS

Nine hours a day; harvesting, canning, etc., fruits and perishable vegetables excepted; constitutionality.—No female shall be employed in any mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment, or office, or by any express or transportation company, in this State more than nine hours during any day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than nine hours during the twenty-four: *Provided however*, That the provisions of this section in relation to the hours of employment shall not apply to nor affect females employed in harvesting, packing, curing, canning or drying any variety of perishable fruit or vegetable. If it shall be adjudicated that the foregoing proviso and exception shall be unconstitutional and invalid for any reason, an adjudication of invalidity of said proviso or of any part of this act shall not affect the validity of the act as a whole or any other part thereof. [1913 C 86 s 1]

Seats to be provided and their use permitted; act to be posted.—Every employer in establishments where females are employed shall provide suitable seats for them and shall permit the use of such seats by them when they are not engaged in the active duties for which they are employed, and every such employer shall keep posted in an open and conspicuous place in each room where such females are at work a copy of this act printed in such form and style as may be easily read. [1913 C 86 s 2]

Penalty; employer, etc.—Any employer, overseer, superintendent or other agent of any such employer who shall violate any of the provisions of this act shall, upon conviction thereof, be fined for each offense in a sum not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00). [1913 C 86 s 3]

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ILLINOIS

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Distribution of immoral literature, etc., by minor prohibited; penalty.—It shall be unlawful to hire, use or employ any minor child to sell or give away, or in any manner to distribute, or who, [for one] having the care, custody or control of any minor child, to permit such child to sell, give away, or in any manner to distribute any book, magazine, pamphlet, newspaper, story paper or publication coming within the description of matters mentioned in the first section of this act [s 42 he–42 hg] [devoted to the publication, or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime], and any person violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined in any sum not exceeding five hundred dollars, or imprisoned in the county jail of the county where the offense has been committed not to exceed six months, or [suffer] both fine and imprisonment, at the discretion of the court. [Hurd's Revised Statutes 1913 Chapter 38 section 42 hg]

Employment under 14 in singing, rope walking, dancing, acrobatic performances, etc., prohibited; parent or guardian, etc.; exceptions.—It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out or otherwise dispose of any such child to any person in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for, or in any business, exhibition or vocation injurious to the health, or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or in the teaching or learning the science or practice of music. [H R S 1913 C 38 s 492]

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Employment under 14 in singing, rope walking, dancing, acrobatic performances, etc., prohibited; employer, etc.—It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit, or have in custody any child under the age and for the purposes prohibited in section 42a [492] hereof. [H R S 1913 C 38 s 493]

Penalty; custody of child may be forfeited.—When it shall appear that any person has made such unlawful use of * * * any child, such child shall be deemed to be in the custody of the court, who may make such order as is now provided by law in the case of vagrant, truant, disorderly, pauper or destitute children. [H R S 1913 C 38 s 494]

Endangering life or health of child prohibited.—It shall be unlawful for any person having the care or custody of any such child willfully to cause or permit the life of such child to be endangered, or the health of such child to be injured, or to willfully cause or permit such child to be placed in such a situation that its life or health may be endangered. [H R S 1913 C 38 s 495]

Overworking children, etc., prohibited; general penalty.—Whoever shall be guilty of cruelty to any child in any of the ways mentioned in this, or in the foregoing sections 42a, 42b, 42c and 42d [492–495] shall be fined not less than five (5) dollars nor more than two hundred (200) dollars, and justices of the peace, and police justices or police magistrates shall have original jurisdiction in all such cases.

First. By * * * overworking, * * * or causing, or knowingly allowing the same to be done. * * * [H R S 1913 C 38 s 496]

NOTE.—[Chapter 38, sections 492–495, constitute an act of 1895 (amending an act of 1877) which is stated in Hurd's Revised Statutes of 1913 to be of doubtful constitutionality, because it misdescribed the sections which it purported to amend. This act of 1877, given in Hurd's Revised Statutes of 1913 as C 38, sections 42a–42e, is almost identical with C 38, sections 492–495, except that in the act of 1877 employment in "any respectable entertainment" is specifically exempted, and the penalty for a first offense is not more than $100 or imprisonment in the county jail not exceeding three months or both, and for a second or subsequent offense is not more than $500 or imprisonment in the penitentiary not exceeding two years or both.]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, THEATERS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited in these occupations, in hotels, laundries, messenger service, etc., and in any gainful work during months when schools are in session or at night, or for more than 8 hours a day.—No child under the age of fourteen years shall be employed, permitted or suffered to work at any gainful occupation in any theater, concert hall or place of amusement where intoxicating liquors are sold or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop or as a messenger or driver therefor, within this State. No child under fourteen years of age shall be employed at any work performed for wages or other compensation, to whomsoever payable, during any portion of any month when the public schools of the town, township, village or city in which he or she resides are in session, nor be employed at any work before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening: *Provided*, That no child shall be allowed to work more than eight hours in any one day. [H R S 1913 C 48 s 20]

Court decisions.—The child labor law (sections 20-20m) was intended to apply only to employment of children in factories, workshops, etc., and not intended to apply to employment of children outside.—Sutherland *v.* Rockford, 165 Ill. App. 80 (1911).

Employers are bound at their peril to see that children are not employed contrary to the provisions of the Child Labor Act.—Purtell *v.* Philadelphia & Reading Coal & Iron Co., 256 Ill. 110, 99 N. E. 899 (1912). Where injury of a child results from his employment in violation of a prohibitive statute, recovery may be had. The employer must ascertain that employees are over 14, and a child's misrepresentation of its age is no defense.—American Car & Foundry Co. *v.* Armentraut, 214 Ill. 509, 73 N. E. 766 (1905).

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16.—It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors over fourteen years and under sixteen years of age in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop or as messenger or driver therefor, within this State, to keep a register in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, factory or workshop in which said minors shall be employed or permitted or suffered to work, in which register shall be

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recorded the name, age and place of residence of every child employed or suffered or permitted to work therein, or as messenger or driver therefor, over the age of fourteen and under the age of sixteen years; and it shall be unlawful for any person, firm or corporation, agent or manager, of any firm or corporation to hire or employ, or to permit or suffer to work in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, any child under the age of sixteen years and over fourteen years of age, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, factory or workshop, theater, concert hall or place of amusement, an age and school certificate approved as hereinafter provided. [H R S 1913 C 48 s 20a]

Lists to be posted where 5 or more children are employed.—Every person, firm or corporation, agent or manager of a corporation employing or permitting or suffering to work five or more children under the age of sixteen years and over the age of fourteen in any mercantile institution, store, office, laundry, hotel, manufacturing establishment, factory or workshop, shall post and keep posted in a conspicuous place in every room in which such help is employed, or permitted or suffered to work a list containing the name, age and place of residence of every person under the age of sixteen years employed, permitted or suffered to work in such room. [H R S 1913 C 48 s 20b]

Certificates required from 14 to 16; lists of illiterate minors under 16 not attending evening school required.—No child under sixteen years of age and over fourteen years of age shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall, or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, factory or workshop, and accessible to the State factory inspector, assistant factory inspector or deputy factory inspector, an age and school certificate as hereinafter prescribed; and unless there is kept on file and produced on demand of said inspectors of factories a complete and correct list of all the minors under the age of sixteen years so employed who can not read at sight and write legibly simple sentences, unless such child is attending night school as hereinafter provided. [H R S 1913 C 48 s 20c]

Court decision.—Failure of a corporation to require a minor to produce age and school certificate confers a right of action where such minor is injured.—Frorer *v.* Baker, 137 Ill. App. 588 (1908).

School authorities to issue certificates; exceptions; method of issuing; records of issuing office.—An age and school certificate shall be approved only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools, by a person authorized by the school board: *Provided*, That the superintendent or principal of a parochial school shall have the right to approve an age and school certificate and shall have the same rights and powers as the superintendent of public schools to administer the oaths herein provided for children attending parochial schools: *Provided further*, That no member of a school board or other person authorized as aforesaid shall have authority to approve such certificates for any child then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employee. The person approving these certificates shall have authority to administer the oath provided herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authorities to designate a place (connected with their offices, when practicable) where certificates shall be issued and recorded, and to establish and maintain the necessary records and clerical service for carrying out the provisions of this act [s 20–20m]. [H R S 1913 C 48 s 20d]

Evidence of age required.—An age and school certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such child, the register of birth of such child with a town or city clerk, or by the records of the public or parochial schools, that such child is of the age stated in the certificate: *Provided*, That in cases arising wherein the above proof is not obtainable, the parent or guardian of the child shall make oath before the juvenile or county court as to the age of such child, and the court may issue to said child an age certificate as sworn to. [H R S 1913 C 48 s 20e]

School attendance certificates required under 16; contents of various certificates; illiterate minors where there is no evening school; certificates to be returned to child; records of issuing office.—The age and school certificate of a child under sixteen years of age shall not be approved and signed until he presents to the person authorized to approve and sign

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the same, a school attendance certificate, as hereinafter prescribed, duly filled out and signed. A duplicate of such age and school certificate shall be filled out and shall be forwarded to the State factory inspector's office. Any explanatory matter may be printed with such certificate in the discretion of the school board or superintendent of schools. The employment and the age and school certificates shall be separately printed and shall be filled out, signed and held or surrendered as indicated in the following forms:

SCHOOL CERTIFICATE.

(Name of school). (City or town and date).

This certifies (name of minor) of the ..th grade, can read and write legibly simple sentences. This also certifies that according to the records of this school, and in my belief, the said (name of minor) was born at (name of city or town) in (name of county) on the (date) and is now (number of years and months) old.

(Name of parent or guardian),
(Residence).

(Signature of teacher) ..... grade.
Correct. (Name of principal).
(Name of school).

EVENING SCHOOL ATTENDANCE CERTIFICATE.

(Date).

This certifies that (name of minor) is registered in and regularly attends the .... evening school.

This also certifies that according to the records of my school and in my belief the said (name of minor) was born at (name of city or town) on the ..... day of (year), and is now (number of years and months) old.

(Name of parent or guardian).
(Residence).
(Signature of teacher).
(Signature of principal).

AGE AND SCHOOL CERTIFICATE.

This certifies that I am (father, mother, guardian or custodian) of (name of minor), and that (he or she) was born at (name of town or city) in the (name of county, if known) and State or county of ....., on the (day of birth and year of birth) and is now (number of years and months) old.

(Signature of parent, guardian or custodian)
(City or town and date)

There personally appeared before me the above named (name of person signing) and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge. I hereby approve the foregoing certificate of (name of child), height (feet and inches), weight ....., complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified.

OWNER OF CERTIFICATE. This certificate belongs to (name of child in whose behalf it is drawn) and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same; but if not claimed by said child within thirty days from such time it shall be returned to the superintendent of schools, or where there is no superintendent of schools, to the school board.

(Signature of person authorized to approve and sign.
with official character [of] authority.)

(Town or city, and date).

ILLITERACY. In the case of a child who can not read at sight and write legibly simple sentences, the certificate shall continue as follows, after the word sentences: "I hereby certify that (he or she) is regularly attending the (name of public or parochial evening school)." This certificate shall continue in force just as long as the regular attendance of said child at said evening school is certified weekly by the teacher and principal of said school.

EVENING SCHOOL. In any city or town in which there is no public or parochial evening school, an age and school certificate shall not be approved for a child under the age of sixteen years who can not read at sight and write legibly simple sentences. When the public or parochial evening schools are not in session an age and school certificate shall not be approved for any child who can not read at sight and write legibly simple sentences. The certificate of the principal of a public or parochial school shall be prima facie evidence as to the literacy or illiteracy of the child. [H R S 1913 C 48 s 20f]

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EDUCATIONAL REQUIREMENTS

Evening school attendance required for employment of illiterate minors from 14 to 16 where evening school is maintained.—No person shall employ any minor over fourteen years of age and under sixteen years, and no parent, guardian or custodian shall permit to be employed any such minor under his control, who can not read at sight and write legibly simple sentences, while a public evening school is maintained in the town or city in which such minor resides, unless such minor is a regular attendant at such evening school. [H R S 1913 C 48 s 20g]

ENFORCEMENT

Duties and powers of factory inspectors and school authorities.—The State inspector of factories, his assistants or deputies, shall visit all mercantile institutions, stores, offices, laundries, manufacturing establishments, bowling alleys, theaters, concert halls or places of amusement, factories or workshops, and all other places where minors are or may be employed in this State, and ascertain whether any minors are employed contrary to the provisions of this act [s 20–20m]. Inspectors of factories, may require that age and school certificates, and all lists of minors employed in such factories, workshops, mercantile institutions and all other places where minors are employed as provided for in this act, shall be produced for their inspection, on demand: *And provided further*, That upon written complaint to the school board or local school authorities of any city, town, district or municipality, that any minor (whose name shall be given in such complaint) is employed in any mercantile institution, store, office, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, contrary to the provisions of this act, it shall be the duty of such school board or local school authority to report the same to the State inspector of factories. [H R S 1913 C 48 s 20h]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than forty-eight hours in any one week, nor more than eight hours in any one day; or before the hours [sic] of seven o'clock in the morning or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work and the hours when the time or times allowed for dinner or for other meals begins and ends. The printed form of such notice shall be furnished by the State inspector of factories, and the employment of any such minor for longer time in any day so stated shall be deemed a violation of this section. [H R S 1913 C 48 s 20i]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, places of amusement where intoxicating liquors are sold, etc.; constant standing prohibited for girls under 16.—No child under the age of sixteen years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever; nor shall any child adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood shapers, wool jointers [wood jointers], planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alleys; they shall not operate or assist in operating, dough brakes, or cracker machinery of any description; wire or iron straightening machinery; nor shall

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they operate or assist in operating rolling mill machinery punches or shears, washing, grinding or mixing mill or calendar [calender] rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery; nor shall children be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any theater, concert hall, or place of amusement wherein intoxicating liquors are sold; nor shall females under sixteen years of age be employed in any capacity where such employment compels them to remain standing constantly. [H R S 1913 C 48 s 20j]

Court decisions.—This section was held constitutional. Absolute requirements as to ascertaining ages of employees of tender years are a proper exercise of the protective power of government.—Sturges & Burn Mfg. Co. *v.* Beauchamp, 250 Ill. 303, 231 U. S. 320 (1913).

Employment of a child in violation of the statute is negligence per se.—Morris *v.* Stanfield, 81 Ill. App. 264 (1899).

Where injury of a child results from his employment in extra hazardous work, defenses of assumed risk and contributory negligence are not available.—Helmbacher Forge & Rolling Mills Co. *v.* Garrett, 119 Ill. App. 166 (1906). The fact that a child under 16, engaged in hazardous employment, concealed its true age does not relieve the defendant from liability. The above section includes, by construction, the employment at a machine operated by steam power.—Swift & Co. *v.* Rennard, 119 Ill. App. 175 (1906). Contributory negligence is no defense to an action for injuries arising by reason of violation of above section.—Frorer *v.* Baker, 137 Ill. App. 588 (1908). The defense of assumption of risk is not available where recovery is sought for injuries sustained, by a child under 16, through his unlawful employment.—Swift & Co. *v.* Miller, 139 Ill. App. 192 (1908).

MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

ENFORCEMENT

Presence to be evidence of employment.—The presence of any person under the age of sixteen years in any manufacturing establishment, factory or workshop, shall constitute prima facie evidence of his or her employment therein. [H R S 1913 C 48 s 20k]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of factory inspectors.—It shall be the special duty of the State factory inspector to enforce the provisions of this act [s 20–20m], and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the State factory inspector, assistant State factory inspector and deputy State factory inspectors under the supervision and direction of the State factory inspector, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by this act. [H R S 1913 C 48 s 20l]

PENALTIES

Permitting employment; parent, etc.; failure to produce certificates or lists; false statements; employer violating act or hindering inspectors.—Whoever, having under his control a child under the age of sixteen years, permits such child to be employed in violation of the provisions of this act [s 20–20m], shall for each offense be fined not less than $5 nor more than $25, and shall stand committed until such fine and costs are paid. A failure to produce to the inspector of factories, his assistants or deputies, any age and school certificates, or lists required by this act, shall constitute a violation of this act, and the person so failing shall, upon conviction, be fined not less than $5 nor more than $50 for each offense. Every person authorized to sign the certificate prescribed by section 7 [20f] of this act, who certifies to any materially false statement therein shall be guilty of a violation of this act, and upon conviction be fined not less than $5 nor more than $100 for each offense, and shall stand committed until such fine and costs are paid. Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether for himself or for such firm or corporation, or by himself or through subagents or foreman, superintendent or manager, who shall violate or fail to comply with any of the provisions of this act, or shall refuse admittance to premises or otherwise obstruct the factory inspector,

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assistant factory inspector or deputy factory inspector in the performance of their duties, as prescribed by this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $5 nor more than $100 for each offense, and shall stand committed until such fine and costs are paid. [H R S 1913 C 48 s 20m]

MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

HEALTH OF MINORS

Certificates of physical fitness may be required for minors.— * * * The factory inspector, assistant inspector and deputy inspectors shall have power to demand a certificate of physical fitness from some regular physician of good standing in case of children who may appear to him or her physically unable to perform the labor at which they may be engaged, and shall have power to prohibit the employment of any minor that can not obtain such a certificate. [H R S 1913 C 48 s 24]

NOTE.—[Section 24, chapter 48, of the Revised Statutes, quoted above, is part of a section belonging to an act of 1893 prohibiting the employment of children under 14 in manufacturing establishments, factories, or workshops. The remainder of this section appears to have been entirely superseded by later legislation, but sections 26, 27, and 28, following, which also belong to the act of 1893, do not appear to have been superseded.]

HOURS OF LABOR FOR GIRLS

Hours for girls and lists of minors under 16 to be posted.—Every person, firm or corporation, agent or manager of a corporation employing any female in any manufacturing establishment, factory or workshop, shall post and keep posted, in a conspicuous place in every room where such help is employed, a printed notice stating the hours for each day of the week between which work is required of such persons, and in every room where children under sixteen years of age are employed a list of their names, ages and place of residence. [H R S 1913 C 48 s 26]

ENFORCEMENT AND PENALTIES

Definitions; lists of workshops required.—The words "manufacturing establishment," "factory" or "workshop," wherever used in this act [s 21–31], shall be construed to mean any place where goods or products are manufactured or repaired, cleaned, or sorted, in whole, or in part, for sale, or for wages. Whenever any house, room or place is used for the purpose of carrying on any process of making, altering, repairing or finishing for sale, or for wages any coats, vests, trousers, knee-pants, overalls, cloaks, shirts, ladies' waists, purses, feathers, artificial flowers or cigars, or any wearing apparel of any kind whatsoever, intended for sale, it shall within the meaning of this act be deemed a workshop for the purposes of inspection. And it shall be the duty of every person, firm or corporation to keep a complete list of all such workshops in his, their or its employ, and such list shall be produced for inspection on demand by the board of health or any of the officers thereof, or by the State inspector, assistant inspector, or any of the deputies appointed under this act. [H R S 1913 C 48 s 27]

Penalty.—Any person, firm or corporation who fails to comply with any provision of this act [s 21–31] shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not less than three dollars, nor more than one hundred dollars for each offense. [H R S 1913 C 48 s 28]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, FACTORIES, WORKSHOPS, ETC.

MINIMUM AGE

Employment under 14 prohibited.—No child under the age of fourteen years shall be employed, permitted or suffered to work for wages at any gainful occupation hereinafter mentioned. [H R S 1913 C 48 s 33]

Court decisions.—Held that above section is not repealed by implication, by laws of 1903, page 187 (H R S 1913 C 48 s 20).—Jefferson Theater Program Co. *v.* Crejzyk, 125 Ill. App. 1 (1907).

The fact that no express liability in damages for violation of this section is provided, is no defense to an action for injuries received in violation thereof; and contributory negligence is no defense.—Strafford *v.* Republic Iron & Steel Co. 238 Ill. 371, 87 N. E. 358 (1908).

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AGE RECORDS

Lists and affidavits of age required from 14 to 16; lists to be open to inspection.—It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors in any mercantile institution, store, office, laundry, manufacturing establishment, factory or workshop within this State, to keep a register in said mercantile establishment, store, office, laundry, manufacturing establishment, factory or workshop, in which said minors shall be employed, or permitted or suffered to work, in which register shall be recorded the name, age and place of residence of every child employed or permitted or suffered to work therein under the age of sixteen years; and it shall be unlawful for any person, firm or corporation, agent or manager of any firm or corporation, to hire or employ or to permit or to suffer to work, in any mercantile institution, store, office, laundry, manufacturing establishment, factory or workshop, any child under the age of sixteen years and over the age of fourteen years, unless there is first provided and placed on file in such mercantile institution, office, laundry, manufacturing establishment, factory or workshop an affidavit made by the parent or guardian, stating the name, date and place of birth of such child. If such child shall have no parent or guardian, then such affidavit shall be made by the child. And the register and affidavits herein provided for shall, on demand, be produced and shown for inspection to the State factory inspector, assistant State factory inspector, or deputy State factory inspector. [H R S 1913 C 48 s 34]

NOTE.—[Section 34, chapter 48 of the Revised Statutes, quoted above, is superseded in large part by section 20a of the same chapter.]

Lists to be posted.—Every person, firm or corporation, agent or manager of a corporation, employing or permitting or suffering to work, children under the age of sixteen years, and over the age of fourteen years, in any mercantile institution, store, office, laundry, manufacturing establishment, factory or workshop, shall post and keep posted in a conspicuous place in every room in which such help is employed, or permitted or suffered to work, a list containing the name, age and place of residence of every person under the age of sixteen years employed, permitted or suffered to work in such room. [H R S 1913 C 48 s 35]

ALL REGULATED OCCUPATIONS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—* * * All establishments subject to factory inspection, where girls and women are employed, shall provide suitable seats for the use of the girls and women, and they shall be permitted the use of such seats when not necessarily engaged in their active duties. [H R S 1913 C 48 s 36]

ENFORCEMENT AND PENALTIES

Duties and powers of factory inspectors.—It shall be the duty of the State factory inspector to enforce the provisions of this act [s 33–42], and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the State factory inspector, assistant State factory inspector, and of the deputy State factory inspectors, under the supervision and direction of the State factory inspector, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by this act. [H R S 1913 C 48 s 39]

Definitions.—The words "manufacturing establishment," "factory" or "workshop," as used in this act [s 33–42], shall be construed to mean any place where goods or products are manufactured or repaired, dyed, cleaned or sorted, stored or packed, in whole or in part, for sale or for wages, and not for personal use of the maker, or his or her family or employer. [H R S 1913 C 48 s 40]

Penalty; violation of act; hindering inspector.—Any person, firm or corporation, agent or manager, superintendent or foreman, of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself or through subagents or foreman, superintendent or manager, shall violate or fail to comply with any of the provisions of this act [s 33–42], or shall refuse admittance to premises or otherwise obstruct the factory inspector or deputy factory inspectors in the performance of their duties, as prescribed by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or imprisonment [imprisoned] in the county jail not less than ten

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days nor more than thirty days, for each offense, or [suffer] both fine and imprisonment, in the discretion of the court, and shall stand committed until such fine and costs are paid. [H R S 1913 C 48 s 41]

ILLEGAL AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places or to accept applications of children in violation of child labor law; penalty.—No such licensed person [licensed to conduct an employment agency] shall send, or cause to be sent, any female help or servants, or inmate or performer, to enter any questionable place or place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution, or gambling house, the character of which such licensed person knows, either actually or by reputation. * * * No such licensed person shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever, in violation of the child labor law, approved May 15, 1903, and in force July 1, 1903, and an act to regulate the employment of children, approved June 9, 1897, and in force July 1, 1897. For the violation of any of the provisions of this section, the penalty shall be a fine of not less than fifty dollars ($50) and not more than two hundred dollars ($200), or imprisonment in the county jail or house of correction for a period of not more than one year, or both, at the discretion of the court, in addition to the revocation of such person's license. * * * [H R S 1913 C 48 s 67f]

Enforcement: duties and powers of State board of commissioners of labor, etc.—The enforcement of this act [s 67a–67l] shall be entrusted to the State board of commissioners of labor, and an officer to be known as the chief inspector of private employment agencies, which officer shall be recommended by the State board of commissioners of labor and appointed by the governor of the State and whose term of office shall be for the period of the incumbency of the governor appointing him, or until his successor is appointed. He may appoint by and with the approval of the governor one (1) inspector for every fifty (50) licensed agencies or major fraction thereof, who shall make at least bi-monthly visits to every such agency. Said inspectors shall have a suitable badge which they shall exhibit on demand of any person with whom they may have official business. Such inspectors shall see that all the provisions of this act are complied with, and shall have no other occupation or business. * * * The said State board of commissioners of labor may refuse to issue and may revoke any license for any good cause shown within the meaning and purpose of this act, and when it is shown to the satisfaction of the said board of commissioners of labor that any person is guilty of any immoral, fraudulent or illegal conduct in connection with the conduct of said business, it shall be the duty of said State board of commissioners of labor to revoke the license of such person, but notice of such charges shall be presented and reasonable opportunity shall be given said licensed person to defend himself in the manner and form heretofore provided in this section of the act. * * * [H R S 1913 C 48 s 67h]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Ten hours a day for girls of any age.—No female shall be employed in any mechanical or mercantile establishment, or factory, or laundry, or hotel, or restaurant, or telegraph or telephone establishment or office thereof, or in any place of amusement, or by any person, firm or corporation engaged in any express or transportation or public utility business, or by any common carrier, or in any public institution, incorporated or unincorporated in this State, more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any day. [H R S 1913 C 48 s 121]

Court decisions.—This act was held constitutional.—Ritchie *v.* Wayman, 244 Ill. 509, 91 N. E. 695; People *v.* Bowes-Allegretti Co., 244 Ill. 557, 91 N. E. 701; People *v.* Elerding, 254 Ill. 579, 98 N. E. 982 (1910 and 1912). A former act on the above subject was held unconstitutional.—Ritchie *v.* People, 155 Ill. 908 (1895).

This section applies to public institutions of municipalities.—People *v.* Chicago, 256 Ill. 558, 100 N. E. 194 (1912).

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Penalty.—Any employer who shall require or permit or suffer any female to work in any of the places mentioned in section 1 [121] of this act [s 121–125] more than the number of hours provided for in this act, during any day of twenty-four hours, or who shall fail, neglect or refuse so to arrange the work of females in his employ that they shall not work more than the number of hours provided for in this act, during any one day, or who shall permit or suffer any overseer, superintendent or other agent of any such employer to violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined for each offense in a sum of not less than $25 or more than $100. [H R S 1913 C 48 s 122]

Enforcement.—The State department of factory inspection shall be charged with the duty of enforcing the provisions of this act [s 121–125] and prosecuting all violations thereof. [H R S 1913 C 48 s 123]

Time book required; penalty.—Every employer to whom this act [s 121–125] shall apply, shall keep a time book or record showing for each day that his establishment is open the hours during which each and every female in his employ, to whom this act applies, is employed. Such time book or record shall be open at all reasonable hours to the inspection of the officials of the factory inspection department. The failure or omission to keep such record, or a false statement contained therein, or any false statement made by any person to an official of the factory inspection department, in reply to any question put in carrying out the provisions of this act, shall be punishable on conviction by a penalty of not more than $25 for each offense. * * * [H R S 1913 C 48 s 125]

COAL MINES

MINIMUM AGE AND AGE CERTIFICATES

Enforcement: duties of mine inspectors.—State [mine] inspectors shall devote their whole time and attention to the duties of their respective offices. State inspectors shall make a personal examination at least once in every six months, or oftener if necessary, of each mine in their district in which ten or more men are employed. The State mining board also may require State inspectors personally to examine any or all other mines in their respective districts. Every mine in the State shall be examined at least once in every six months by either a State or county [appointed as assistant to State] mine inspector. [H R S 1913 C 93 s 5e as amended by 1915 p 505]

Enforcement: duties of mine inspectors.— * * * State inspectors also shall require that every necessary precaution be taken to insure the health and safety of the workmen employed in the mines, and that the provisions and requirements of all the mining laws of this State are obeyed. State inspectors shall render written reports of mine inspections made by them to the State mining board in such form and manner as shall be required by the board. State inspectors shall take prompt action for the enforcement of the penalties provided for violation of the mining laws. [H R S 1913 C 93 s 5f as amended by 1915 p 505]

Enforcement: powers of mine inspectors.—It shall be lawful for State inspectors to enter, examine and inspect any and all coal mines and the machinery belonging thereto, at all reasonable times, by day or by night, but so as not to unreasonably obstruct or hinder the working of such coal mine, and the operator of every such coal mine is hereby required to furnish all necessary facilities for making such examination and inspection. [H R S 1913 C 93 s 5g as amended by 1915 p 505]

Employment of boys under 16 and of girls of any age prohibited; evidence of age required for boys; penalty for false statements.—No boy under the age of sixteen years, and no woman or girl of any age, shall be permitted to do any manual labor in or about any mine, and before any boy can be permitted to work in any mine he must produce to the mine manager or operator thereof an affidavit from his parent or guardian or next of kin, sworn and subscribed to before a justice of the peace or notary public, that he, the said boy, is sixteen years of age. The parent, guardian or next of kin shall submit in connection with said affidavit, a certificate of birth, a baptismal certificate, a passport or other official or religious record of the boy's age or duly attested transcript thereof, which certificate or transcript thereof shall, for the purposes of this act [s 1–31], establish the age of said boy. Any person swearing falsely in regard to the age of a boy shall be guilty of perjury, and shall be punished as pro-

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vided in the general statutes of the State pertaining to perjury.[1] [H R S 1913 C 93 s 28]

Court decision.—Employment of a child contrary to a former section on the above subject was held to render the employer liable for resulting injuries.—Marquette Third Vein Coal Co. *v.* Dielie, 110 Ill. App. 684 (1903).

Penalty; enforcement: powers of mine inspectors.—(*a*) Any willful neglect, refusal or failure to do the things required to be done by any section, clause or provision of this act [s 1–31], on the part of the person or persons herein required to do them, or any violation of any of the provisions or requirements hereof, or any attempt to obstruct or interfere with any inspector in the discharge of the duties herein imposed upon him, or any refusal to comply with the instructions of an inspector given by authority of this act shall be deemed a misdemeanor punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or both, at the discretion of the court * * *.

(*b*) Any inspector who shall discover that any section of this act, or part thereof, is being neglected or violated, shall order immediate compliance therewith, and, in case of continued failure to comply, shall have power to stop the operation of the mine, or remove any offending person or persons from the mine until the law is complied with.

(*c*) For any injury to person or property, occasioned by any willful violation of this act, or willful failure to comply with any of its provisions, a right of action shall accrue to the party injured, for any direct damages sustained thereby; and in case of loss of life by reason of such willful violation or willful failure as aforesaid, a right of action shall accrue to the personal representatives of the person so killed for the exclusive benefit of the widow and next of kin of such person and to any other person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or lives not to exceed the sum of ten thousand dollars: *Provided*, That every such action for damages in case of death shall be commenced within one year after the death of such person: *And provided further*, That the amount recovered by the personal representative of the person so killed shall be distributed to the widow and next of kin of such person in the proportion provided by law in relation to the distribution of personal property left by persons dying intestate: *Provided*, That if and whenever there shall be in force in this State, a statute or statutes providing for compensation to workmen for all injuries received in the course of their employment, the provisions thereof shall apply in lieu of the right of action for damages provided in this act. [H R S 1913 C 93 s 29]

Application of act.—(*a*) Where used in this act [s 1–31], the words "mine" and "coal mine" are intended to signify any and all parts of the property of a mining plant, on the surface or underground, which contribute, directly or indirectly, under one management, to the mining or handling of coal. * * * [H R S 1913 C 93 s 30]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 16; exceptions; exemptions from 14 to 16 if necessarily and lawfully employed; penalty.—Every person having control of any child between the ages of seven and sixteen years, shall annually cause such child to attend some public or private school for the entire time during which the school attended is in session, which shall not be less than six months of actual teaching: *Provided however*, That this act [s 1–276] shall not apply in case the child has been or is being instructed for a like period in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or in case the child's physical or mental condition renders his or her attendance impracticable or inexpedient, or in case the child is excused for temporary absence for cause by the principal or teacher of the school which said child attends, or in case the child is between the ages of fourteen and sixteen years and is necessarily and lawfully employed during the hours when the public school is in session. For every neglect of the duty prescribed by this

[1] Every person, having taken a lawful oath or made affirmation, in any judicial proceeding, or in any other matter where by law an oath or affirmation is required, who shall swear or affirm willfully, corruptly and falsely, in a matter material to the issue or point in question, or shall suborn any other person to swear or affirm, as aforesaid, shall be deemed guilty of perjury or subornation of perjury (as the case may be), and shall be imprisoned in the penitentiary not less than one year nor more than fourteen years. [H R S 1913 C 38 s 225]

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section, the person so offending shall forfeit to the use of the public schools of the city, town or district in which such child resides, a sum not less than five dollars nor more than twenty dollars and costs of suit, and shall stand committed until such fine and costs of suit are fully paid. [H R S 1913 C 122 s 274]

Enforcement: appointment and duties of truant officers; penalty for false statements.—The board of education or the board of school directors, as the case may be, shall appoint at the time of election of teachers one or more truant officers whose duty it shall be to report all violations of the preceding section to the board of education or board of directors and to enter complaint against and prosecute all persons who shall appear to be guilty of such violation. It shall also be the duty of the truant officer to arrest any child of school going age that habitually haunts public places and has no lawful occupation, and also any truant child who absents himself or herself from school, and to place him or her in charge of the teacher having charge of any school which said child is by law entitled to attend, and which school shall be designated to said officer by the parent, guardian or person having control of said child. * * * Any person having control of a child, who, with intent to evade the provisions of this section, shall make a false statement concerning the age or the employment of such child or the time such child has attended school, shall for such offense forfeit a sum of not less than three dollars nor more than twenty dollars for the use of the public schools of the district. [H R S 1913 C 122 s 275]

FACTORIES, MERCANTILE ESTABLISHMENTS, MILLS, AND WORKSHOPS

TOILETS, DRESSING ROOMS, AND SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person, firm or corporation employing females in any factory, mercantile establishment, mill or workshop in this State, shall provide a reasonable number of suitable seats for the use of such female employees, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed, and shall permit the use of such seats at all times when such use would not actually and necessarily interfere with the proper discharge of the duties of such employees, and where practicable, such seats shall be made a permanent fixture and may be so constructed or adjusted that when said seats are not in use, they will not obstruct such female employee, when engaged in the performance of her duties. [1915 p 418 s 9]

Separate toilets for the sexes.—Every factory, mercantile establishment, mill or workshop shall be provided with a sufficient number of water-closets, earth closets or privies, within reasonable access of the persons employed therein, * * * and whenever both male and female persons are employed, said water-closets and privies shall be provided separate and apart for the use of each sex, and plainly marked by which sex they are to be used; and no person or persons shall be allowed to use the closets or privies assigned to the opposite sex; and such water-closets or privies shall be constructed in an approved manner and properly enclosed, and at all times kept in a clean and sanitary condition. * * * [1915 p 418 s 20]

Separate dressing rooms for the sexes if needed.—* * * Where the labor performed by the employee is of such a character as to make customary or necessary a change of clothing by the employees, there shall be provided sanitary and suitable dressing room or rooms, and both such dressing rooms and washing facilities shall be separately maintained for each sex. * * * [1915 p 418 s 21]

ENFORCEMENT AND PENALTIES

Duties and powers of factory inspectors.—It shall be the duty of the chief State factory inspector, and of the assistant chief State factory inspector, and deputy factory inspectors, under the direction and supervision of the chief State factory inspector, to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose they and each of them are hereby empowered to visit and inspect, at all reasonable times, all such factories, mercantile establishments, mills and workshops in this State. * * * [1915 p 418 s 25]

Penalty.—Any person, firm or corporation who shall, or any agent, manager or superintendent of any person, firm or corporation, who for himself or for such person, firm or corporation, shall violate any of the provisions of this act, or who omits or fails to comply with any of the foregoing requirements of this act, * * * shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished

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for the first offense by a fine of not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars; and upon conviction of the second or subsequent offense, shall be fined not less than twenty-five ($25.00) dollars nor more than two hundred ($200.00) dollars; and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law. [1915 p 418 s 26]

Definitions.—The following terms used in this act shall have the following meaning: The term "factory" means any premises wherein electricity, steam, water or other mechanical power is used to move or work any machinery employed in preparing, manufacturing or finishing, or any process incident to the manufacturing of any article or part of any article; or the altering, repairing, ornamenting or the adapting for sale of any article. The term "mill or workshop" shall include any premises, room or apartment not being a factory as above defined, wherein any labor is exercised by way of trade or for the purpose of gain in or incidental to any process of making, altering, preparing, cleaning, repairing, ornamenting, finishing or adopting [adapting] for sale any article or part of any article, and to which or over which building, premises, room or apartment, the employer of the person employed or working therein has the right of access or control: *Provided however*, That a private house or private room in which manual or other labor is performed by a family dwelling therein, or by any of them for the exclusive use of the members of such family is not a factory, mill or workshop, within this definition. The term "mercantile establishment" shall include all concerns or places where goods, wares or merchandise are purchased or sold, either at wholesale or retail. [1915 p 418 s 29]

Copies of act to be printed in all necessary languages.—Copies of this act shall be printed in English and such other languages as may be necessary to disseminate a general knowledge of the provisions herein set forth and shall be supplied by the chief State factory inspector on application. [1915 p 418 s 30]

Summary of act to be posted.—For the purpose of disseminating a general knowledge of the provisions of this act among employees, the chief State factory inspector shall have prepared a notice covering the salient features of this act, which may be in the following form:

NOTICE TO OWNERS AND EMPLOYEES OF MERCANTILE ESTABLISHMENTS, FACTORIES, MILLS AND WORKSHOPS.

This notice must be posted in a conspicuous place, in every office and workroom of this establishment. The object of this notice is to promote the health, comfort and safety of employees, and requires their attention and cooperation.

* * * * * * *

8. Ample and separate toilet facilities for each sex shall be provided, and toilet rooms must be kept clean, well ventilated and well lighted.

* * * * * * *

The notice shall be printed on cardboard of suitable character, and the type used shall be such as to make it easily legible. In addition to English, this notice shall be printed in such other languages as may be necessary to make it intelligible to employees. Copies shall be supplied by the chief State factory inspector on application, and must be posted in a conspicuous place in every office and workroom of every establishment covered by the provisions of this act. [1915 p 418 s 31]

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INDIANA

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Note:—[The duties and powers relating to the enforcement of labor laws heretofore exercised by the State bureau of inspection have been transferred by chapter 166 of the Acts of 1915 to the industrial board. In every case the new enforcing authority has been indicated in the text by an insertion in brackets, the former enforcing power being omitted.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 15 in rope walking, acrobatic performances, etc., and of an minor child in injurious or immoral occupations, etc., prohibited; penalty.—Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away, or otherwise dispose of such child, and any person who shall take, receive or employ such child for the vocation or occupation of rope or wire walking, or as an acrobat, gymnast, contortionist, or rider, and any person who, having the care, custody or control of any minor child shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, mayor, police judge or criminal court shall be fined not less than ten dollars, nor more than one hundred dollars, to which may be added imprisonment not exceeding thirty days. [Burns' Annotated Statutes 1914 section 2623]

Employment under 18 in singing, playing, or begging on the streets prohibited; penalty.—Any person having the care, custody or control, lawful or unlawful, of any minor child under the age of eighteen years, who shall apprentice, give away, let out, hire, or otherwise dispose of such minor to any person for the purpose of singing, playing

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on musical instruments, begging, or for any mendicant business whatever, in the streets, roads or other highways of the State, and whosoever shall take, receive, hire, employ, use or have in custody any such [minor] for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging upon the streets, roads or other highways of the State, or for any mendicant business whatever, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than five dollars nor more than one hundred dollars, to which may be added imprisonment not exceeding thirty days. [B A S 1914 s 2624]

Employment under 15 in public exhibitions where intoxicating liquors are sold, etc., prohibited; penalty.—Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away, or permit such child to sing, dance, act, or in any manner exhibit in any dance house whatever, or in any concert saloon, theater, or place of entertainment where wines or spirituous or malt liquors are sold or given away, or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected by any passage way or entrance, or any proprietor of any dance house whatever, or the proprietor of any such concert saloon, theater or place of entertainment so employing any such child, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than ten dollars nor more than one hundred dollars for each offense, to which may be added imprisonment not exceeding thirty days. [B A S 1914 s 2625]

MINES, ETC.

MINIMUM AGE

Employment under 12 in underground works or mines, etc., prohibited; penalty.—Any person who shall take, receive, hire or employ any child under twelve years of age in any underground works, or mines, or like place whatsoever, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than five dollars nor more than fifty dollars. [B A S 1914 s 2626]

NOTE.—[The minimum age for employment in a "mine" or "quarry" is 14 under section 8022.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS; MINES

ENFORCEMENT

Duties of mayors, police judges, policemen, etc.—Whenever any person shall, before a mayor, police judge or justice of the peace, make oath or affirmation that the affiant believes that this act [s 2622–2627] has been or is being violated in any place or house, such mayor or police judge or justice shall forthwith issue a warrant to a constable, policeman or other authorized officer to enter such place or house and investigate the same, and such person may arrest, or cause to be arrested, all offenders and bring them before the court, issuing such warrant for a hearing of the case; and it shall be the duty of all constables and policemen to aid him in bringing all such offenders before said authorities for a hearing. [B A S 1914 s 2627]

ALL OCCUPATIONS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person or corporation employing women or girls in any business in this State shall provide suitable seats for the use of said employees so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for the performance of which they are so employed. [B A S 1914 s 2628]

Penalty; enforcement.—Any person or persons, or any corporation violating any of the provisions of this act [s 2628–2629], shall be punished by a fine of not less than ten dollars not more than thirty dollars for each offense. And it is made the duties of the prosecuting attorneys of the State to enforce the provisions of this act. [B A S 1914 s 2629]

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RAILROADS AND STREET RAILWAYS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions; penalty.—Any superintendent, train dispatcher, yardmaster, foreman or other railway official who shall permit, exact, demand or require any engineer, motorman, fireman, conductor, brakeman, switchman, or other employee engaged in the movement of passenger or freight trains or electric cars, or in switching service in yards or railway stations, to remain on duty more than sixteen consecutive hours, unless in case of accident, wreck or other unavoidable cause, without at least eight hour's [sic] rest and relief from all duty whatever, shall, on conviction, be fined not less than twenty dollars nor more than two hundred dollars. [B A S 1914 s 2680]

RAILROADS

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions.—It shall be unlawful for any superintendent, train dispatcher, yardmaster, foreman or other railway official, to permit, exact, demand or require any engineer, fireman, conductor, brakeman, switchman, telegraph operator or other employee engaged in the movement of passenger or freight trains, or in switching service, in yards or railway stations, to remain on duty more than sixteen consecutive hours, except when by casualty occurring after such employee has started on his trip, or by unknown casualty occuring before he started on his trip, he is prevented from reaching his terminal, or to require or permit any such employee who has been on duty sixteen consecutive hours, to go on duty without having had at least eight hours off duty, or to require or permit any such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period, to continue on duty or go on duty without having had at least eight hours off duty within such twenty-four-hour period. [B A S 1914 s 5304]

Liability for accidents in case of violation.—For any violation of or failure to comply with any of the provisions of this act [s 5304–5307], such company shall be liable to all persons and employees injured by reason thereof, and no employee shall in any case be held to have assumed the risk incurred by reason of such violation or failure. [B A S 1914 s 5305]

Penalty; enforcement: duties of railroad commission.[2]—Any superintendent, train dispatcher, train master, foreman or other official of any railway, in the State of Indiana, violating any of the provisions of this act [s 5304–5307], is hereby declared to be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and it shall be the duty of the railroad commission[2] to fully investigate all cases of the violation of this act and to lodge with the attorney general information of such violation as may come to its knowledge. [B A S 1914 s 5306]

Exceptions.—The provisions of this act [s 5304–5307] shall not apply to relief or wreck trains while clearing obstructions to the main line of any railroad. [B A S 1914 s 5307]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of persons from 6 to 21.—The school trustees of the several townships, towns and cities, shall take, or cause to be taken, between the tenth (10th) day of April and the thirtieth day of the same month, each year, an enumeration of all unmarried persons between the ages of six and twenty-one years, resident within the respective townships, towns or cities.

Each person required or employed to take such enumeration shall take an oath or affirmation to take the same accurately and truly to the best of his skill and ability. Such oath or affirmation shall be made a matter of record and kept on file in the office of the school trustee.

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[1] See court decision on page 7 (New York).

[2] The railroad commission was abolished and its rights, powers, and duties were transferred to the public service commission by section 4, chapter 76, of the Acts of 1913 [B A S 1914 s 10052d].

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In making said enumeration, the trustee, or person so employed shall distinguish between the white and colored children, enumerating them in separate lists, and shall list the names of parents, guardians, heads of families, or persons having charge of such child or children, male and female, shall list the full name and give the sex and age of each child so enumerated, shall secure the signature of either parent, guardian, head of family, or person having charge of such child or children, certifying to the correctness of the same, or if this is impossible, shall secure the signature of some responsible person who can certify to the correctness of said list; and he shall give the number of the school district to which such parent, guardian, head of family or person having charge of such child or children, is attached for school purposes, and the number and initials which designate the congressional township in which such parent, guardian, head of family or person having charge of such child or children resides. In cities the said enumerator shall give, in addition to the above enumerated items, the street and number of the residence of such person. He shall include in such list all unmarried persons between the ages of six and twenty-one years, whose parents, guardians, heads of families, or persons having charge of such child or children, shall have been transferred to his township, town or city for school purposes; and he shall exclude from such list all persons whose parents, guardians, heads of families, or persons having charge of such child or children shall have been transferred from his township, town or city for school purposes. * * * He shall include in his list such unmarried persons between six and twenty-one years of age as are dependent upon themselves, and not under charge of parents, guardians or heads of families, and shall so designate such persons in a separate list, giving in cities the street and number of the residence of such persons. He shall enumerate no one who is not reported to him personally, and properly certified to as herein provided, except in cases of minors who are dependent upon no one, and not inmates of any family who may be reported as herein provided for: *Provided*, That if any parent, guardian, head of family, or person having charge of any child, shall be absent, the enumerator shall ascertain the facts required from other reliable sources, and sign his own name to the certificate herein required; and in case any parent, guardian, head of family, or person having charge of any child entitled to school privileges, shall refuse to report to the enumerator any facts herein required, necessary to a full and accurate enumeration, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one nor more than ten dollars. Each person required or employed to take the enumeration, as provided for in this act, shall, when making returns of said enumeration, to the proper officers, make affidavit or affirmation that he has taken and returned the enumeration in accordance with the provisions of this act, to the best of his knowledge and belief, and that such list contains the names of all persons entitled to be enumerated, and no others. * * * Any person appointed as enumerator, or any officer through whose hands the enumeration required by this act shall pass, who shall knowingly enumerate persons not entitled to be enumerated, or who shall in any manner, add to or take from the number actually enumerated, shall be deemed guilty of a misdemeanor, and, upon conviction of such offense, shall be fined in any sum not less than five nor more than one hundred dollars, or imprisonment [imprisoned] in the county jail not less than ten nor more than thirty days, at the discretion of the court. [B A S 1914 s 6447]

Enumeration to be filed with county superintendent.—Each township trustee and the president of the board of school trustees of towns and cities shall, on or before the first day of May, annually, report to and file with the county superintendent of the proper county, a copy of the enumeration for school purposes of his township, town or city * * *. When said county superintendent, however, on an examination of the enumeration returns of any township, town or city, finds any evidence that the enumeration is excessive in number or in any other way incorrect, he may require the same to be retaken and returned, and if he deem it necessary he may, for this purpose, appoint persons to perform the service * * *. [B A S 1914 s 6463]

COMPULSORY VOCATIONAL SCHOOL ATTENDANCE

Children from 14 to 16 who are regularly employed may be required to attend where schools established.—In case the board of education or township trustee of any city, town or township have established approved vocational schools for the instruction of youths over fourteen years of age who are engaged in regular employment, in part-time classes, and have formally accepted the provisions of this section, such board or trustee are authorized to require all youths between the ages of fourteen and sixteen years who are regularly employed, to attend school not less than five hours per week between the hours of 8 a. m. and 5 p. m. during school term. [B A S 1914 s 6641k]

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COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 14; from 14 to 16 if not regularly employed; exceptions; evidence of age.—It shall be the duty of every parent, guardian, or other person, in the State of Indiana, having the control or charge of any child, to cause such child to attend regularly a public, private, or parochial day school, or two or more of such schools, during each school year for a term or period not shorter than that of the common schools of the school corporation in this State where the child resides. This section shall apply to every child not physically or mentally disqualified, as hereinafter provided, who shall be of the age of seven years and of not more than the age of fourteen years, and shall apply to every child of fourteen years or more and not more than sixteen years of age, who is not actually and regularly employed, during the hours of the common school of such school corporation, in a useful employment or service, or is not lawfully employed in a gainful service agreeably to the provisions of this act [s 6675–6685d] concerning the employment of children in gainful occupations. If a child otherwise subject to the provisions of this act shall be, as evidenced by a certificate of a reputable, duly licensed, and practicing physician, either physically or mentally unfit to attend school, then during such disability this act shall not apply to such child. * * * For the purpose of enforcing this act the age of children shall be established, if possible, first, by a duly verified copy of birth certificate or baptismal certificate or passport to be produced to the proper common school corporation by parents, guardians or other persons having control or charge of children. If neither such certificate nor passport exists, then the age shall be established by the first school enumeration in which the age of the child appears. If there be no such enumeration then by the affidavit of the parent, guardian, or other person having control or charge of children, and the supporting affidavit of some disinterested person. [B A S 1914 s 6675]

Court decision.—Under a former act, the provision relative to the duties of parents and guardians was held constitutional.—State *v.* Bailey, 157 Ind. 324, 61 N. E. 730 (1901).

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required from 14 to 16 for employment during school hours; issued by school authorities; age and school records and promise of employment required; employer to notify school corporation of termination of employment; new certificate required for reemployment.—No child under sixteen years of age who under the provisions of this act would otherwise be required to attend school, shall be employed in any occupation during hours wherein the common schools at the residence of the child are in session, unless the child shall have attained the age of fourteen years and shall have procured a certificate from the executive officer of the common school corporation of which the child is a resident, or some person designated by him, showing the age, date and place of birth, if known, or ascertainable, of such child and showing that the child has passed the fifth grade in the common schools, or its equivalent and a written and signed statement from the child's employer showing that the person making it has employed or is about to employ, such child; and showing the place and character of the employment. For the purpose of making the certificate herein required, it shall be the duty of such common school executive or other person designated by him, to obtain the information required as in section 1 [6675] of this act [s 6675–6685d]. If the date or place of birth can not be ascertained in any of these modes, then the school officer may certify that, in his opinion, the child is fourteen years of age, or more, and is physically fit to undertake the work he intends to do and to issue the certificate in accordance therewith to the employer or prospective employer of the child. The employer shall keep the certificate on file and shall produce it for inspection and demand by any inspector of the [industral board] or any other official authorized by law to inspect the same, and shall immediately when his employment of such child shall cease, in writing, notify the school corporation of that fact and the date thereof, on blanks to be attached to the certificate by the school corporation. It shall be unlawful for the employer to re-employ the child without a like new certificate. Such certificate having been presented to the employer, it shall not be necessary for the employer to procure another affidavit of the child's age for the service in the occupation mentioned in the statement of the employer to the school corporation. The State board of truancy shall define the meaning of the word occupation as used in this act. [B A S 1914 s 6676]

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ENFORCEMENT AND PENALTIES

Duties and powers of attendance officers, parents, employers, etc.—Attendance officers whose appointment is by this act provided for, are hereby empowered and authorized to enter any place wherein children are employed for the purpose of determining whether any children are so employed in violation of the provisions of this act [s 6675–6685d]. It shall be the duty of all parents, guardians, and other persons having control or charge of children, and of all employers of children, to furnish the attendance officers, upon request, full information concerning children employed by them, and for such purpose attendance officers shall have the right to examine any employment certificates, notices, registers, or other lists concerning employed children, required by the law to be kept on file or posted in places where children are employed. [B A S 1914 s 6677]

Appointment and duties of attendance officers; penalty for parent, etc.—* * * The county board of education shall appoint an attendance officer for the county, who shall be known as county attendance officer and who shall be under the county superintendent, in carrying out the provisions of this statute and who shall be subject to removal from office by the county board of education for inefficiency, incompetency, or neglect of duty. * * * It shall be the duty of such attendance officer to see that the provisions of this act [s 6675–6685d] are complied with, and when from personal knowledge or by report or complaint from any resident or teacher within the territory under his supervision, he believes that any child, subject to the provisions of this act is habitually tardy or absent from school he shall immediately give or send by mail, to the parent, guardian, or other person having control or charge of said child, a written notice that the prompt and regular attendance of such child at school is required, and, if within five days after this mailing or giving of notice, the person to whom it shall be given shall not comply with the provisions of this statute respecting the attendance of such child at school, then such attendance officer shall make complaint against the person so notified in the juvenile court of that county, or the circuit court acting as juvenile court, or in any court of record, setting forth the violation of the provisions of this act. But one notice shall be required for any one child during any one school year. Any person so notified who shall violate the provisions of this statute concerning the attendance of a child at school, shall be adjudged guilty of a misdemeanor and upon conviction thereof shall be fined not less than one dollar nor more than twenty-five dollars, to which may be added in the discretion of the court, imprisonment in the county jail for not less than two nor more than ninety days. Any attendance officer failing to perform any duties imposed upon him by the provisions of this act shall, upon conviction, be fined in the sum of five dollars for each such failure. [B A S 1914 s 6678 as amended by 1915 C 77]

Duties of teachers; record of attendance.—An accurate record of the attendance of all children who have reached the age of seven years and have not passed the age of sixteen shall be kept daily by the teacher of every school, showing by the year, month, day of the month, and day of the week, such attendance. Such records shall at all times be open to the school authorities of the city or district and every such teacher shall fully answer all inquiries lawfully made by such school authorities or by attendance officers or other duly authorized persons. All school officers and teachers are hereby required to make and furnish all reports that may be required by the superintendent of public instruction, by the State board of truancy, or the attendance officer with reference to the workings of this act [s 6675–6685d]. [B A S 1914 s 6681]

Penalty for violation of section 6676; general penalty.—Any parent, guardian, or other person having control or charge of children who shall permit the employment of any child in violation of section 2 [6676] of this act [s 6675–6685d] and any one who shall employ a child in violation of that section and any person who shall violate any provision of this act, for which offense no penalty is hereinbefore denounced, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars, nor more than fifty dollars. [B A S 1914 s 6685d]

SCHOOL CENSUS

Duties and powers of State board of truancy.—* * * Said board [State board of truancy] * * * shall have power and be charged with the duty and responsibility of administering this act [s 6675–6685d]. [B A S 1914 s 6682]

Enumerators to ascertain ages of all children; penalty for parent, etc., refusing to take oath.—In order that the provisions of this act [s 6675–6685d] may be more definitely enforced, it is hereby provided that the enumerators of school children, in

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taking the annual school census [as given in s 6447] shall ascertain and record the place and date of birth of every child enumerated, and the parent, guardian, or other persons having control or charge of such children, shall subscribe and take oath or affirmation that such record is true to the best of his information, knowledge, or belief. The enumerator is hereby empowered to administer such oath or affirmation and any parent, guardian, or other person having control or charge of children, who shall refuse to take such oath or affirmation, unless the refusal be based upon the want of knowledge, information, or belief, shall be adjudged guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one dollar ($1.00). [B A S 1914 s 6685b]

Information to be furnished attendance officers.—On or before the first day of each school year the executive officer of each school corporation shall furnish the attendance officer thereof with the names of the children, subject to the provisions of this act [s 6675–6685d], who are enumerated in the regular enumeration lists. These names shall be alphabetically arranged, and such official shall give to the attendance officer all information contained in the regular enumeration returns concerning the children so listed. The county and each school corporation, shall provide its own attendance officers with the necessary postage and such blanks as may be required by the State board of truancy or the State superintendent of public instruction pertaining to the due execution of the duties of such attendance officers. [B A S 1914 s 6685c]

IMMORAL OCCUPATIONS

MINIMUM AGE

Penalty; enforcement: duties of chief of bureau of statistics.—Any person, firm, or corporation guilty of violating any of the provisions of this act [s 7131a–7131i] shall, upon conviction, be fined in any sum not less than fifty ($50) dollars, nor more than one hundred ($100) dollars, to which may be added imprisonment in the county jail for a term not exceeding six months. It shall be the duty of the chief of the bureau of statistics to enforce this act and institute criminal or civil proceedings whenever informed of any violation of its provisions. Upon instituting any such proceedings, the name of said chief shall be entered upon the docket, and upon conviction a fee of ten ($10) dollars shall be allowed in favor of said chief, which fee, when collected, shall be accounted for as other money received by said chief under this act. [B A S 1914 s 7131e]

Employment agencies forbidden to send any persons to immoral places; penalty.—No agency, or person, whether licensed or unlicensed, shall send or cause to be sent any help or person to any place of bad repute, house of ill fame or assignation or place of amusement kept for immoral purposes, or for the purpose of securing a position for any applicant, or otherwise circulate, publish, record or issue any report or information to cause the discharge of any person employed in any legitimate service. * * * Any agency, whether licensed or unlicensed, violating any of the provisions of this act or of any law in force in this State, shall forfeit all rights to continue in business. [B A S 1914 s 7131i]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours a day, 60 a week, for boys under 16 and girls under 18; exceptions; hours to be posted.—No person under sixteen years of age, and no female under eighteen years of age, employed in any manufacturing or mercantile establishment, laundry, renovating works, bakery or printing office, shall be required, permitted or suffered to work therein more than sixty hours in any one week, nor more than ten hours in any one day, unless for the purpose of making a shorter day on the last day of the week; nor more hours in any one week than will make an average of ten hours per day for the whole number of days which such person or such female shall so work during such week; and every person, firm, corporation or company employing any person under sixteen years of age, or any female under eighteen years of age in any establishment as aforesaid, shall post and keep posted in a conspicuous place in every room where such help is employed a printed notice stating the number of hours of labor per day required of such person[s] for each day of the week, and the number of hours of labor exacted or permitted to be performed by such persons shall not exceed the number of hours of labor so posted as being required. The time of beginning and ending the

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day's labor shall be the time stated in such notice: *Provided*, That such female[s] under eighteen and persons under sixteen years of age may begin after the time set for beginning and stop before the time set in such notice for the stopping of the day's labor, but they shall not be permitted or required to perform any labor before the time stated on the notices as the time for beginning the day's labor, nor after the time stated upon the notices as the hour of ending the day's labor. [B A S 1914 s 8021]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, MINES, ETC.

MINIMUM AGE—EDUCATIONAL AND PHYSICAL REQUIREMENTS

Employment under 14 prohibited; lists required from 14 to 16; affidavits of age required from 14 to 18; lists to be posted; ability to read and write required from 14 to 16 except during vacation; certificates of physical fitness may be required from 14 to 18.—No child under fourteen years of age shall be employed in any manufacturing or mercantile establishment, mine, quarry, laundry, renovating works, bakery or printing office within this State. It shall be the duty of every person employing young persons under the age of sixteen years to keep a register, in which shall be recorded the name, birthplace, age and place of residence of every person employed by him under the age of sixteen years; and it shall be unlawful for any proprietor, agent, foreman or other person connected with a manufacturing or mercantile establishment, mine, quarry, laundry, renovating works, bakery or printing office to hire or employ any young person to work therein without there is first provided and placed on file in the office an affidavit made by the parent or guardian, stating the age, date and place of birth of said young person; if such young person have no parent or guardian, then such affidavit shall be made by the young person, which affidavit shall be kept on file by the employer, and said register and affidavit shall be produced for inspection on demand made by the [industrial board] * * *. There shall be posted conspicuously in every room where young persons are employed, a list of their names, with their ages, respectively. No young person under the age of sixteen years, who is not blind, shall be employed in any establishment aforesaid, who can not read and write simple sentences in the English language, except during the vacation of the public schools in the city or town where such minor lives. The [industrial board] shall have the power to demand a certificate of physical fitness from some regular physician in the case of young persons who may seem physically unable to perform the labor at which they may be employed, and shall have the power to prohibit the employment of any minor that can not obtain such a certificate. [B A S 1914 s 8022]

Court decisions.—The two preceding sections are constitutional.—Inland Steel Co. *v.* Yedinak, 172 Ind. 423, 87 N.E. 229 (1909).

The fact that a parent or guardian knows of the employment, and does not inform the employer of the minor's age, does not excuse the employer from obtaining the affidavit.—La Porte Co. *v.* Sullender, 165 Ind. 290, 75 N. E. 277 (1905).

The employment of a child under 14 is negligence per se, rendering the employer liable for injuries proximately caused by such act.—Nickey *v.* Steuder, 164 Ind. 189, 73 N. E. 117 (1905).

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 14 prohibited; farm and domestic work excepted; employment from 12 to 14 permitted in canning industries from June 1 to October 1.—No child under the age of fourteen (14) years shall be employed or permitted to work in any gainful occupation other than farm work or domestic service, excepting that any child between the ages of twelve (12) years and fourteen (14) years may be employed or permitted to work in the business of preserving and canning of fruits and vegetables from the first day of June to the first day of October of each year. [B A S 1914 s 8022a]

HOURS OF LABOR

Eight hours a day, 48 a week, under 16; 9 hours a day, 54 a week, with written consent of parent or guardian, etc.; farm and domestic work excepted.—No child under sixteen (16) years of age shall be employed or permitted to work in any gainful occupation other than farm work or domestic service, more than forty-eight (48) hours in any one week, or more than eight (8) hours in any one day, unless the employer shall have first procured the written consent of the parent, legal or natural guardian of said child, but in no event shall any such child work at any gainful occupation other than farm work

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or domestic service more than fifty-four (54) hours in any one week or nine (9) hours in any one day. [B A S 1914 s 8022b]

Night work prohibited under 16; farm and domestic work excepted.—No child under sixteen (16) years of age shall be employed or permitted to work in any gainful occupation other than farm work or domestic service, before the hour of seven (7) in the morning, or after the hour of six (6) in the evening. [B A S 1914 s 8022c]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; other occupations prohibited for boys under 16 and girls under 18; saloons, etc.; constant standing prohibited for girls under 18.—No child under the age of sixteen (16) years shall be employed or permitted to work in any tobacco warehouse, cigar or other factory where tobacco is manufactured or prepared, hotel, theater, or place of amusement; or in any employment where their health may be injured or morals depraved. And no boy under the age of sixteen (16) years and no girl under the age of eighteen (18) years shall be employed or permitted to work in or about any brewery, distillery, saloon, concert hall, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled; or in dipping, dyeing [drying], or packing matches, or manufacturing, packing or storing gunpowder, dynamite, nitroglycerin or its compounds, fuses or other explosives. Nor shall girls under the age of eighteen (18) years be employed in any capacity where such employment compels them to remain standing constantly. [B A S 1914 s 8022d]

Specific occupations prohibited under 16; machinery.—No child under the age of sixteen (16) years shall be employed or permitted to operate circular or band saws; wood shapers, wood joiners, planers, stamping machines used in sheet metal or tin work manufacturing, stamping machines in washer or nut factories, and all other stamping machines used in stamping metals; steam boilers; steam machinery; or other steam generating apparatus, dough brakes or cracker machinery of any description, wire or iron straightening machinery, rolling mill machinery, punch or shears, grinding or mixing mills, calender rolls in rubber manufacturing or laundry machinery, corrugating rolls of the kind used in roofing or washboard manufacturing. [B A S 1914 s 8022e]

REGULATED OCCUPATIONS

PENALTIES

Violation by employer, parent, etc.—Any person who violates any provision of this act [s 8022a–8022f] or who suffers or permits any child to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, an [and] on conviction shall be fined not less than five dollars ($5), nor more than two hundred dollars ($200), to which may be added imprisonment for not more than ten (10) days in the county jail, and for a second or subsequent offense he shall be imprisoned in the county jail for not less than ten (10) days nor more than thirty (30) days. [B A S 1914 s 8022f]

MANUFACTURING ESTABLISHMENTS

HOURS OF LABOR FOR GIRLS

Night work prohibited for girls of any age.—No person or corporation, or officer or agent thereof, shall employ any woman or female young person in any capacity for the purpose of manufacturing, between the hours of 10 o'clock at night and 6 o'clock in the morning. [B A S 1914 s 8023]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Employment under 18 in operating elevators prohibited.—No person, company, corporation or association shall employ or permit any young person to have the care, custody, management of or to operate any elevator. [B A S 1914 s 8024]

Court decision.—A violation of this section constitutes negligence per se.—Waverly Co. *v.* Beck, 103 N. E. 332 (1913).

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Cleaning machinery in motion prohibited for boys under 16 and girls under 18.—* * * No person under sixteen years of age, and no female under eighteen years of age, shall be allowed to clean machinery while in motion. [B A S 1914 s 8029]

Court decision.—A violation of this section constitutes negligence per se.—Brower *v.* Locke, 31 Ind. App. 353 (1903).

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC.

TOILETS, DRESSING ROOMS, AND SEATS FOR GIRLS

Separate toilets for the sexes; dressing rooms for girls if required; seats to be provided and their use permitted.—A suitable and proper wash room and water-closets shall be provided by the owner, agent or lessee in each establishment above enumerated [s 8021], and such water-closets shall be properly screened and ventilated and kept at all times in a clean condition, with not less than one seat for each twenty-five persons, and one seat for each fraction thereof above ten, employed in such establishment; and if women and girls are employed in any such establishment, the water-closets used by them shall have separate approaches and be separate and apart from those used by the men. All water-closets shall be kept free of obscene writing and marking. A dressing room shall be provided for women and girls, when required by the [industrial board], in any establishment aforesaid in which women and girls are employed; and the employer of such women and girls shall provide a suitable seat for the use of each female employee placed conveniently where she works, and shall permit the use of the same when she is not necessarily engaged in the active duties for which she is employed, and such seats shall be constructed or adjusted where practicable so as to be a fixture and not obstruct such female when actually engaged in the performance of such duties when such seat can not be used. [B A S 1914 s 8030]

HOURS OF LABOR

Sixty minutes for noonday meal required; permits for shorter period.—Not less than sixty minutes shall be allowed for the noonday meal in any aforesaid establishment in this State. The [industrial board] shall have the power to issue written permits in special cases, allowing shorter mealtime at noon and such permit must be conspicuously posted in the main entrance of the establishment, and such permit may be revoked at any time the [industrial board] deems necessary, and shall only be given where good cause can be shown. [B A S 1914 s 8031]

ENFORCEMENT

Fees for affidavits of age.—It shall be unlawful for notaries public and other officers to receive more than ten cents for the preparing and certifying to a "Certificate of parent or guardian," provided for in this act [s 8021–8047]. [B A S 1914 s 8037]

Definitions.—The language used in this act [s 8021–8047] shall be interpreted to have the following meaning: The word "person" means any individual, corporation, partnership, company or association. The word "child" means a person under the age of fourteen years. The words "young person" means a person of the age of fourteen years and under the age of eighteen years. The word "woman" means a female of the age of eighteen years and upwards. The words "manufacturing or mercantile establishment, mine, quarry, laundry, renovating works, bakery or printing office" means [mean] any mill, factory, workshop, store, place of trade, or other establishment where goods, wares or merchandise are manufactured or offered for sale, or any mine or quarry where coal and stone are mined and quarried for the market, and persons are employed for hire. [B A S 1914 s 8038]

Duties and powers of industrial board; unlawful to hinder board, etc.—It shall be the duty of the [industrial board] to cause this act [s 8021–8047] to be enforced, and to cause all violators of the same to be prosecuted, and for that purpose [said board] is empowered to visit and inspect at all reasonable hours, and as often as shall be practicable and necessary, all manufacturing or other establishments to which this bill relates. It shall be the duty of the [industrial board] to examine into all violations of laws made for the benefit or protection of labor and to prosecute all violations thereof. It shall be unlawful for any person to interfere with, obstruct or hinder said [board] while in the performance of [its] duties, or to refuse to properly answer questions asked by [it] with reference to any of the provisions hereof. [B A S 1914 s 8042]

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Act to be posted.—It shall be the duty of the [industrial board] to supply all blanks necessary to make reports to [its] office, as required in this act [s 8021-8047], and be furnished [to furnish] copies of this act, which shall be conspicuously posted or hung, and kept posted or hung, in each workroom of every manufacturing or other establishment to which it relates, in the State, by the proprietor or occupant thereof. [B A S 1914 s 8043]

Prosecution.—The prosecuting attorney of any county of this State is hereby required upon request of the [industrial board], or of any other person of full age, to commence and prosecute to a termination before any court of competent jurisdiction, in the name of the State, actions or proceedings against any person or persons reported to him to have violated the provisions of this act [s 8021-8047]. [B A S 1914 s 8044]

PENALTIES

Violation of act, etc.—Any person who violates or omits to comply with any of the provisions of this act [s 8021-8047], or who refuses to comply with the orders of the [industrial board], properly made under the provisions of this act, or who suffers or permits any young persons or child to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not more than fifty dollars for the first offense, and not more than one hundred dollars for the second offense, to which may be added imprisonment for not more than ten days, and for the third offense a fine of not less than two hundred and fifty dollars and not more than thirty days' imprisonment in the county jail. [B A S 1914 s 8045]

COAL MINES

MINIMUM AGE

Enforcement: duties and powers of inspectors; application of act; exceptions.—* * * It shall be the duty of the inspector of mines * * * to enter, examine and inspect any and all coal mines * * * at any reasonable time, by day or by night, but so as not to hinder or obstruct the working of any coal mine more than is reasonably necessary in the discharge of his duties; and the operator of such coal mine is hereby required to furnish the necessary facilities for such entry, examination and inspection. * * * He, or his assistants, shall make personal inspection, at least twice each year, of all coal mines in this State; and shall see * * * that the provisions and requirements of this act [s 8569-8598] are faithfully carried out, and that the penalties of the law are enforced against all who willfully disobey its requirements. * * * The provisions of this law shall apply to all mines except to mines employing less than ten men. And it shall be the duty of the inspector of mines to see to the strict enforcement of all laws relating to mines and mining, to investigate all violations of the law relating thereto, file complaints and make affidavits against such violators before the proper court of justice and to see to the enforcement of all penalties prescribed by the statutes of the State for disobedience to its provisions relating to mines and mining * * *. [B A S 1914 s 8590]

Court decision.—This section was held constitutional, exemption of mines employing less than ten men held not discriminating.—Chandler Coal Co. *v.* Sams, 170 Ind. 623, 85 N. E. 341 (1908).

Employment of boys under 14 and girls of any age prohibited; affidavits of age required in case of doubt.—No male person under the age of fourteen years or female of any age shall be permitted to enter any mine in this State for the purpose of employment therein, and the parents or guardians of boys shall be required to furnish an affidavit as to the age of said boy or boys when there is any doubt in regard to their age, and in all cases of minors applying for work the operator of any mine shall see that the provisions of this section are not violated. [B A S 1914 s 8594]

Penalty; violation of act or hindering inspector.—Any willful neglect, refusal or failure to do the things required to be done by any section, clause or provision of this act [s 8569-8598], on the part of the person or persons herein required to do them, or any violation of the provisions or requirements hereof, or any attempt to obstruct or interfere with any inspector of mines in the discharge of the duties herein imposed upon him, or any refusal to comply with the instructions of an inspector of mines by authority of this act, shall be deemed a misdemeanor punishable by a fine not exceeding five hundred dollars ($500) or by imprisonment in the county jail for a period not exceeding six months, or both, at the discretion of the court: *Provided*, That the foregoing shall not apply to sections in this act which have special penalties provided for them. [B A S 1914 s 8598]

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Enforcement: duties of inspector.—* * * The inspector of mines or his assistants shall make personal inspection of all coal mines in the State at least three times each year instead of twice each year, as heretofore provided by law * * *. [B A S 1914 s 8611]

Miners to have certificates or permits from miners' examining board; permits not to be issued to girls of any age.—No person shall be employed or engaged as a miner in any coal mine in this State without first obtaining a certificate of competency and qualification so to do from the miners' examining board of some county in the State of Indiana: *Provided*, That the above provisions shall not prevent the employment of a person not having such certificate to work in the same room with or under the direction of a miner having such certificate, for the purpose of becoming qualified to become a miner and to receive such certificate under the provisions of the act: *Provided*, That any male person desiring to work with a qualified miner to become qualified shall first obtain a permit from the miners' examining board by stating his age, nativity and residence and paying the sum of one ($1) dollar therefor. The miners' examining board shall grant a permit to all applicants who are of legal age and who have such intelligence and character that they will not be a menace to life and property. * * * [B A S 1914 s 8624c]

Permits not to be issued to boys under legal age; nontransferable.—* * * No permit shall be transferable nor issued to any miner under the age prescribed by law. [B A S 1914 s 8624g]

Enforcement: duties of prosecuting attorney, inspector, etc.; revocation of permit in case of fraud in issuing or in use; penalty.—Any applicant being refused a certificate or permit by any miners' examining board and feeling himself aggrieved may appeal to the circuit or superior court located in the county where such board is located and such court shall have power to issue such orders therein as may be lawful and just, but no costs shall be assessed or adjudged against any member of a miners' examining board upon such review of their action. The prosecuting attorney, State mine inspector or any member of any miners' examining board having information that any person has obtained a certificate or permit by means of fraud, misrepresentation or by other unlawful means, or has permitted or is permitting any other person to use his certificate or permit, or that any person is using the certificate or permit which was issued to another person shall file information before the judge of the circuit or superior court located in the county where such person is resident or employed and cause summons to be issued as in civil cases: *Provided however*, If such officers fail or refuse to file such information, then any private citizen may file such information on the relation of the State of Indiana. If the court or jury shall after a trial or hearing in such cause, find that such certificate or permit has been unlawfully or wrongfully issued, or that such person has used the certificate or permit of another or permitted another to use his certificate or permit, then the judgment shall be that such certificate or permit be revoked and that costs be adjudged as in other civil cases: *Provided further*, That any person who obtains a certificate or permit by means of fraud, misrepresentation or by other unlawful means, or has permitted or is permitting any other person to use his certificate or permit, or any person who uses or permits to be used a certificate or permit issued to another shall also be subject to the penalties provided in section 12 [8624l] of this act. [B A S 1914 s 8624h]

Application of act; responsibility.—No person shall hereafter be engaged as a miner in any coal mine in this State in which ten (10) or more miners are employed without first obtaining a permit or certificate as required by this act [s 8624a–8624l]. No person, firm, or corporation shall employ any person as a miner who does not hold a certificate or a permit, as aforesaid, and no mine foreman or superintendent or other person shall permit or suffer any person to be employed under him in any mine under his charge or under his supervision, as a miner, who does not hold such certificate or permit. [B A S 1914 s 8624i]

Enforcement: duties of State mine inspector, etc.—It shall be the duty of the State mine inspector and all his deputies and all miners' examining boards and prosecuting attorneys to investigate all complaints of the violation of this law [s 8624a–8624l] and to prosecute all such violations. [B A S 1914 s 8624k]

Penalty; employer, etc.—Any person, firm, or corporation violating any provisions of this act [s 8624a–8624l] shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred ($100) dollars and not more than five hundred ($500) dollars, to which may be added imprisonment not to exceed six months in the county jail or workhouse. Any member of any miners' examining board, in addition to said penalties shall forfeit his office upon being convicted of violating any provision of this act. [B A S 1914 s 8624l]

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RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions.—It shall be unlawful for any railway company within the State of Iowa, or any of its officers or agents to require or permit any employee engaged in or connected with the movement of any rolling stock, engine or train, to remain on duty more than sixteen consecutive hours, or to require or permit any such employee who has been on duty sixteen consecutive hours to perform any further service without having at least ten hours for rest, or to require or permit any such employee to be on duty at any time to exceed sixteen hours in any consecutive twenty-four hours: *Provided however*, That this section shall not apply to work performed in the protection of life or property in cases of accident, wreck, or other unavoidable casualty, or prevent train crews from taking a passenger train, or freight train loaded exclusively with live stock or perishable freight, to the next nearest division point upon such railroad: *And provided further*, That it shall not apply to that time necessary for the trainmen to reach a resting place when an accident, wreck, washout, snow blockade or other unavoidable cause has delayed their train: *And provided further*, That this section shall not apply to employees of sleeping car companies. [Code 1897 Supplement 1913 section 2110-a]

Enforcement and penalty.—Any superintendent, train master, train dispatcher, yardmaster or other official of any railroad in the State of Iowa, violating any of the provisions of this act [s 2110-a to 2110-b], shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars for each offense. It shall be the duty of the board of railroad commissioners to receive written statements of violations of this act and when so requested to hold the same without disclosure of the name of the person making such statement, and to investigate each and every complaint filed alleging such violation. The board in making such investigation shall have the power to administer oaths, interrogate witnesses, take testimony, and require the production of books and papers, and must file a report of such investigation in writing with a full statement of its finding to the governor. In all cases of violation of this act, the board of railroad commissioners, through the attorney-general, must at once begin the prosecution of all parties against whom evidence of violation is found; but this act shall not be construed to prevent any other person from beginning prosecution for violation hereof. [C 1897 Supp 1913 s 2110-b]

[1] See court decision on page 7 (New York).

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of commissioner of bureau of labor statistics; penalty for hindering inspectors.—The commissioner of the bureau of labor statistics shall have the power to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this chapter [s 2469–2477–l], and to examine into the methods of protection from danger to employees, and the sanitary conditions in and around such buildings and places, and make a record therof. If the commissioner shall learn of any violation of, or neglect to comply with the law in respect to the employment of children, or in respect to fire escapes, or the safety of employees, or for the preservation of health, he shall give written notice to the owner or person in charge of such factory or building, of such offense or neglect, and if the same is not remedied within sixty days after service of such notice, such officer shall give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall immediately institute the proper proceedings against the person guilty of such offense or neglect. And any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employee of such owner or occupant, who shall refuse to allow any officer or employee of said bureau to so enter, or who shall hinder him, or in any way deter him from collecting information, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days. [C 1897 Supp 1913 s 2472]

Definitions.—The expressions "factory," "mill," "workshop," "mine," "store," "business house," and "public or private work," as used in this chapter [s 2469–2477–l], shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where wage-earners are employed for a certain stipulated compensation. [C 1897 Supplemental Supplement 1915 s 2473]

Appointment and duties of female inspector.—The commissioner of the bureau of labor statistics * * * shall also be allowed three factory inspectors, one of whom shall be a woman * * *. The woman factory inspector herein provided for shall, in addition to the general duties required of her, under the direction of the commissioner of the bureau of labor statistics, inspect the sanitary and general conditions under which the women and children are at work in all factories, workshops, hotels, restaurants, stores, and any other places where women and children are employed; collect statistics and make recommendations and report the same to the commissioner of labor, who shall make special reference thereto in his biennial report to the governor, and said woman factory inspector shall render any other or additional service under the direction of the labor commissioner as will tend to promote the health and general welfare of the women and children employees of this State. * * * [C 1897 Supp 1913 s 2477]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, MINES, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations and in operating elevators; exception.—No person under fourteen years of age shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughterhouse or packing house, or in any store or mercantile establishment where more than eight persons are employed, or in the operation of any freight or passenger elevator, or livery stable or garage, place of amusement, or in the distribution or transmission of merchandise or messages: *Provided*, That nothing in this section shall be construed as prohibiting a child from working in any of the above establishments or occupations when such are owned or operated by their own parents. [C 1897 S Supp 1915 s 2477–a]

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STREET TRADES IN CITIES

MINIMUM AGE, HOURS OF LABOR, AND BADGES

Employment of boys under 11 and girls under 18 in selling newspapers, magazines, etc., prohibited; permits may be issued to boys under 11; badges required for boys from 11 to 16; age and health records and school attendance required; night work and employment during school hours prohibited; annual renewal of badge; enforcement: duties of truant officers, etc.; penalty for parent, etc., and for assisting minor to violate act.—No boy under eleven years of age nor girl under eighteen years of age shall be employed, permitted or suffered to work at any time in any city of ten thousand or more inhabitants within this State in or in connection with the street occupations of peddling, boot-blacking, the distribution or sale of newspapers, magazines, periodicals or circulars, nor in any other occupations in any street or public place: *Provided however*, That in cities having a superior or municipal court, the superintendent of schools or person authorized by him, upon sufficient showing made by the said superior or municipal judge, shall have authority, in exceptional cases, to issue a permit to a boy under eleven years of age. No boy between eleven and sixteen years of age shall be employed, permitted or suffered to work in any such city in or in connection with any of the aforesaid occupations unless he complies with all the requirements for the issuance of work permits as described in this act [s 2477-a to 2477-f] except the filing of an employers' agreement: *Provided however*, That the school record so required shall certify only that the boy is regularly attending school and that the work in which he wishes to engage will not interfere with his progress at school. Upon compliance with these requirements such boy shall be entitled to receive from the officer authorized to issue work permits a badge which shall authorize such boy to engage in the above mentioned occupations at such time or times between four a. m. and seven thirty p. m. in each day as the public schools of the city or district where such boys reside are not in session, but at no other time: *Provided however*, That during the summer school vacation such boy may engage in such occupation until the hour of eight thirty p. m. All such badges issued in the same calendar year shall be of the same color, which color shall be changed each year upon renewal and all such badges shall become void upon the first day of January of each year. The parent or person in charge of any child who shall engage in any such street occupation in violation of any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifteen dollars. The truant or attendance officers of the public schools shall enforce the provisions of this section. Whoever furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of this section or who shall continue to furnish or sell articles of any description to a minor after having received written notice from any officer charged with the enforcement of this section or from the officer issuing the badge required as aforesaid that said minor is unlicensed to sell such article, shall be punished by a fine of not less than fifteen dollars nor more than one hundred dollars for each offense. [C 1897 S Supp 1915 s 2477-a1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; bowling alleys, etc., handling or use of explosives, and in mines during school term; constant standing prohibited for girls under 21.—No person under sixteen years of age shall be employed at any work or occupation by which, by reason of its nature or the place of employment, the health of such person may be injured, or his morals depraved, or at any work in which the handling or use of gunpowder, dynamite or other like explosive is required, or in or about any mine during the school term, hotel, bowling alley, pool or billiard room, or in occupations dangerous to life or limb and no female under twenty-one years of age shall be employed in any capacity where the duties of such employment compel her to remain constantly standing. [C 1897 S Supp 1915 s 2477-b]

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MANUFACTURING AND MERCANTILE ESTABLISHMENTS, MINES, ETC.

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; 30 minutes for midday meal required if employed more than 5 hours; night work prohibited for messengers under 18 in certain cities.—No person under sixteen years of age shall be employed at any of the places or in any of the occupations recited in section 1 [2477–a] hereof before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening, and if such person is employed exceeding five hours of each day, a noon intermission of not less than thirty minutes shall be given between the hours of eleven and one o'clock, and such person shall not be employed more than eight hours in any one day, exclusive of the noon intermission; nor shall any such person be employed more than forty-eight hours in any one week; nor shall any person under eighteen years of age be employed in the transmission, distributing or delivery of goods or messages between the hours of ten in the evening and five in the morning in any city of ten thousand or more inhabitants. [C 1897 S Supp 1915 s 2477–c]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16; certificates to be returned to issuing office; school authorities to issue certificates; age, school, and health records, promise of employment and return of certificate to issuing office, required; report to commissioner of labor; blank certificates, etc.; method of issuing and contents of certificates; evidence of age may be required for children apparently under 16.—No child under sixteen years of age shall be employed, permitted, or suffered to work in or in connection with any of the establishments or occupations mentioned in section twenty-four hundred seventy-seven-a unless the person, firm or corporation employing such child procures and keeps on file, accessible to any officer charged with the enforcement of this act [2477–a to 2477–f], a work permit issued as hereinafter provided, and keeps two complete lists of the names and ages of all such children under sixteen years of age employed in or for such establishments or in such occupations, one on file in the office and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. On termination of the employment of a child whose permit is on file, such permit shall be returned by the employer within two days to the officer who issued it with a statement of the reasons for the termination of such employment. A work permit shall be issued only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized in writing by the local school board in the community where such child resides, upon the application of the parent, guardian or custodian of the child desiring such permit. The person authorized to issue work permits shall not issue any such permit until he has received, examined, approved and filed the following papers duly executed, namely:

(1), A written agreement from the person, firm or corporation into whose service the child under sixteen years of age is about to enter, promising to give such child employment, describing the work to be performed and agreeing to return the work permit of such child to the office from which it was issued within two days after the termination of the employment of such child;

(2), The school record of such child filled out and signed by the chief executive of the school which such child has last attended certifying that the child is able to read intelligently and write legibly simple sentences in the English language and has completed a course of study equivalent to six yearly grades in reading, writing, spelling, English language, geography, and arithmetic. Such school record shall give also the name, date of birth and residence of the child as known [sic] on the records of the school and also the name of its parent, guardian or custodian;

(3), A certificate signed by a medical inspector of schools or if there be no such inspector then by a physician appointed by the board of education certifying that the applicant for the work permit has reached the normal development of a child of its age and is in sufficiently sound health and physically able to perform the work for which the permit is sought;

(4), Evidence of age showing that the child is fourteen years old or upwards which shall consist of one of the following proofs required in the order herein designated as follows:

(a) A transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births;

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(b) A passport or a transcript of a certificate of baptism showing the date of birth and place of baptism of such child;
(c) A school census record;
(d) In cases where none of the above named proofs is obtainable, a certificate signed by the local medical inspector of schools, or if there be no such inspector then by a physician appointed by the local board of education certifying that in his opinion the applicant for the work permit is fourteen years of age or upwards.

A duplicate of every such work permit issued shall be filled out and forwarded to the office of the commissioner of labor between the first and the tenth day of the month following the month in which it is issued. The blank forms for the work permit, the employer's agreement, the school record and the physician's certificate shall be formulated by the State superintendent of public instruction and furnished by him to the local school authorities. The work permit shall in no case be issued to the applicant or its parent, guardian or custodian, but shall in every case be forwarded to the prospective employer of such applicant. Every such work permit shall give the name, sex, the date and place of birth and the residence of the child in whose name it is issued, describe the color of the hair and eyes, give his height and weight and shall contain a statement of the proof of age accepted, the school grade completed, the name and address of the establishment where the child is to be employed and shall describe the work for which the permit is issued; it shall further certify that the papers required for its issuance have been duly examined, approved and filed and that the person named therein has personally appeared before the officer issuing the permit and has been examined. A work permit shall be issued for every position obtained by a child between the ages of fourteen and sixteen years. Any officer whose duty it is to enforce the provisions of this act shall have authority to demand of any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed, permitted or suffered to work, and whose work permit is not filed as required by this section, that such employer shall either furnish him within ten days the same documentary evidence of age of such child as is required upon the issuance of a work permit, or shall cease to employ or permit or suffer such child to work in such place or establishment. [C 1897 S Supp 1915 s 2477–d]

ENFORCEMENT AND PENALTIES

Penalty for parent, etc., permitting illegal employment; false statements; failure to post or falsifying lists; employer violating act or hindering factory inspectors.—Any parent, guardian or other person, who having under his control any person under sixteen years of age causes or permits said person to work or be employed in violation of the provisions of this act [s 2477–a to 2477–f], or any person making, certifying to, or causing to be made or certified to, any statement, certificate or other paper for the purpose of procuring the employment of any person in violation of the provisions of this act, or who makes, files, executes or delivers any such statement, certificate or other paper containing any false statement for the purpose of procuring the employment of any person in violation of this act, or for the purpose of concealing the violation of this act in such employment, and every person, firm or corporation, or the agent, manager, superintendent, or officer of any person, firm or corporation, whether for himself or such person, firm or corporation, either by himself or acting through any agent, foreman, superintendent or manager, who knowingly employs any person or permits any person to be employed in violation of the provisions of this act, or who shall refuse to allow any authorized officer or person to inspect any place of business under the provisions of this act, if demand is made therefor at any time during business hours, or who shall willfully obstruct such officer or person while making such inspection, or who shall fail to keep posted the lists containing the names of persons employed under sixteen years of age and other information as required by this act, or who shall knowingly insert any false statement in such list, or who violates any other provision of this act, shall be deemed guilty of a misdemeanor, and upon being found guilty thereof, shall be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days. [C 1897 Supp 1913 s 2477–e]

Enforcement: duties and powers of commissioner of bureau of labor statistics, mine inspectors, etc.—It shall be the duty of the commissioner of the bureau of labor statistics to enforce the provisions of this act [s 2477–a to 2477–f], and such commissioner and his deputies, factory inspectors, assistants and other persons authorized by him in writing, State mine inspectors, and county attorneys, mayors, chiefs of police and police officers, acting under their written directions, city and town marshals, sheriffs and their deputies within the territories where they exercise their official functions,

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and any person having authority therefor in writing from the judge of a court of record within the territory over which such judge has jurisdiction, shall have authority to visit any of the places enumerated in section one [2477–a] of this act, and make an inspection thereof to ascertain if any of the provisions of this act are violated or any person unlawfully employed thereat, and such persons shall not be interfered with or prevented from asking questions of any persons found at the place being inspected by them with reference to the provisions of this act. It shall be the duty of the county attorney to investigate all complaints made to him of the violation of this act, and to attend and prosecute at the trial of all cases for its violation upon any information that may be filed within his county. [C 1897 Supp 1913 s 2477–f]

MINES

ENFORCEMENT AND PENALTIES

Duties and powers of mine inspectors.—The governor shall divide the State into three inspection districts, and assign one inspector to each district, who * * * shall examine all the mines in his district as often as the time will permit, which examination shall be made at least once in every six months of all mines having an average output of fifty tons or more of coal per day, keep a record of the inspections made, showing * * * the extent and manner in which the laws relating to the government of mines and their operation are observed and obeyed * * * and such other and further matters as may be of public interest and connected with the mining industries of the State. He shall have the right at all reasonable times, by night or by day, to enter any mine in his district, or any district to which he may be sent by the governor for the purpose of ascertaining its condition and the manner of its operation, by making personal examination and inquiry in relation thereto, but not so as to unnecessarily obstruct or impede the working of the mines; and to this end the mine owner or person in charge shall furnish such mine inspector all assistance in his power * * *. [C 1897 Supp 1913 s 2482]

Duties of mine foreman, etc.; lists of boys under 16 employed during school vacation required.—It shall be the duty of the mine foreman or pit boss in charge of any mine or part thereof to make careful inspection of the mine from day to day by himself or assistant and at such other times as in his judgment conditions may require. * * * He shall keep a record of the boys under sixteen years of age employed by him during the time of school vacation, showing their ages, names and residence of parents or guardian and character of employment, which record shall be kept at the office of the mines and open for inspection at all reasonable times. * * * [C 1897 Supp 1913 s 2489–13a]

Penalty for employer violating act or hindering enforcement; penalty for miner disobeying orders.—The owner or person in charge of any mine * * * who shall fail to comply with the provisions of this chapter [s 2478–2496], or either of them, or shall obstruct or hinder the carrying out of its requirements * * * shall be punished by imprisonment in the county jail not exceeding sixty days, and by a fine not exceeding five hundred dollars; or if any miner, workman or other person shall * * * disobey any orders given in carrying out the provisions of this chapter * * * he shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days. [C 1897 s 2491]

Penalty.—In all cases the penalties as provided by the law in section twenty-four hundred ninety-one * * * of the Code, shall apply to this act, [s 2478–2494–b] except when otherwise herein provided. [C 1897 Supp 1913 s 2494–b]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 16, inclusive; exemptions over 14 if regularly employed, etc.; other exemptions; penalty.—Any person having control of any child of the age of seven to sixteen years inclusive, in proper physical and mental condition to attend school, shall cause such child to attend some public, private, or parochial school, where the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology, and United States history are taught, or to attend upon equivalent instruction by a competent teacher elsewhere than school, for at least twenty-four consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the board of school

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directors shall determine upon a later date which date shall not be later than the first Monday in December; but the board of school directors in any city of the first or second class may require attendance for the entire time the schools are in session in any school year: *Provided*, That this section shall not apply to any child who lives more than two miles from any school by the nearest traveled road except in those districts in which the pupils are transported at public expense, or who is over the age of fourteen and is regularly employed; or has educational qualifications equal to those of pupils who have completed the eighth grade; or who is excused for sufficient reasons by any court of record or judge thereof; or while attending religious service or receiving religious instructions. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than three dollars nor more than twenty dollars, for each offense. [C 1897 Supp 1913 s 2823–a]

Opinion.—Under a former section of which this is an amendment, "to fourteen years"—now "to sixteen years"—can not be construed to extend beyond the time when the child becomes fourteen years of age. The word "inclusive" following clearly applies to the time intervening between the ages of seven and fourteen years, and does not extend the period during which a child can be compelled to attend school beyond the time when he becomes fourteen years of age.—Attorney General (1904).

Affidavit of parent.—* * * Any person having the control of such child [between 7 and 14 years of age, inclusive] who is physically and mentally unable to attend school, public or private, shall furnish proofs by affidavit or affidavits as to the physical or mental condition of such child. * * * [C 1897 Supp 1913 s 2823–b]

Enforcement: appointment and duties of truant officers.—The board of directors of each school corporation may, and in school corporations having a population of twenty thousand or more shall, at their annual meeting in each year, appoint one or more truant officers, who shall serve for one year, and who may be a constable or a member of the police force, whose duty it shall be to report violations of this act [2823–a to 2823–i] to the secretary of the school corporation, and see to the enforcement of the provisions of this act. It shall be the duty of said truant officer or officers to apprehend and take into custody without warrant any child of the age of seven to fourteen years inclusive, who habitually frequents or loiters about public places during school hours without lawful occupation, or can not produce a certificate as provided in section two [2823–b] hereof, also any truant child who absents himself or herself from school, and place him or her in charge of the teacher having charge of any school which said child is entitled to attend, and which school may be designated to said officers by the person having legal control of such child * * *. In towns and cities of the second class, the independent school district may employ the marshal or other police officer of such city or town to act as truant officer * * *. [C 1897 Supp 1913 s 2823–e]

Enforcement: duties of school authorities and truant officers.—It shall be the duty of the director or president of any board of directors, or any truant officers appointed by such board of directors, to enforce the provisions of this act [s 2823–a to 2823–i], to sue for and recover the penalties herein provided, and to institute criminal prosecution against any person violating the provisions of this act * * *. [C 1897 Supp 1913 s 2823–f]

SCHOOL CENSUS

Enumeration of all children from 7 to 16 inclusive.—It shall be the duty of all officers, empowered to take the school census, to ascertain the number of children of the ages of seven to sixteen years, inclusive, in their respective districts, the number of such children who do not attend school, and so far as possible the cause of failure to attend school. [C 1897 Supp 1913 s 2823–i]

ALL OCCUPATIONS

WAGES

Payment to minor if contract with him alone.—Where a contract for the personal services of a minor has been made with him alone, and the services are afterwards performed, payment therefor made to him, in accordance with the terms of the contract, is a full satisfaction therefor, and the parent or guardian can not recover a second time. [C 1897 s 3191]

Court decision.—This section has been upheld.—Murphy *v.* Johnson, 45 Iowa 57 (1878).

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MANUFACTURING AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty.—All employers of females in any mercantile or manufacturing business or occupation shall provide and maintain suitable seats, when practicable, for the use of such female employees, at or beside the counter or workbench where employed, and permit the use thereof by such employees to such extent as the work engaged in may reasonably admit of. Any neglect or refusal to comply with the provisions of this section by any employer shall be punished by a fine not exceeding ten dollars. [C 1897 s 4999]

MANUFACTURING ESTABLISHMENTS, WORKSHOPS, HOTELS, ETC.

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; separate dressing rooms if needed.—Every manufacturing establishment, workshop or hotel in which five or more persons are employed, shall be provided with a sufficient number of water-closets, earth closets or privies for the reasonable use of the persons employed therein, which shall be properly screened and ventilated and kept at all times in a clean condition and free from all obscene writing or marking; * * * and if women or girls are employed in such establishment, the water-closets, earth closets or privies used by them shall have separate approaches and be separate and apart from those used by the men. In factories, mercantile establishments, mills and workshops, adequate washing facilities shall be provided for all employees; and when the labor performed by the employees is of such a character as to require or make necessary a change of clothing, wholly or in part, by the employees, there shall be provided a dressing room, or rooms, lockers for keeping clothing and suitable washing facilities separate for each sex, and no person, or persons, shall be allowed to use the facilities assigned to the opposite sex * * *. [C 1897 Supp 1913 s 4999–a1]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning machinery in motion prohibited for boys under 16 and girls under 18; operating dangerous machinery prohibited under 16.—* * * No person under sixteen years of age, and no female under eighteen years of age shall be permitted or directed to clean machinery while in motion. Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machinery of any kind. [C 1897 Supp 1913 s 4999–a2]

Court decisions.—The employment of a child in violation of the statute is negligence per se.—Woolf v. Nauman Co., 128 Iowa 261, 103 N. W. 785 (1905). A person under the prescribed age does not assume risks of employment and is not guilty of contributory negligence.—Bromberg v. Evans Laundry Co., 111 N. W. 417 (1907).

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Enforcement: commissioner of bureau of labor statistics, etc.; penalty.—It shall be the duty of the commissioner of the bureau of labor [statistics] of the State, and the mayor and chief of police of every city or town, to enforce the provisions of the foregoing sections [s 4999–4999–a2]. Any person, whether acting for himself or for another or for a copartnership, joint stock company or corporation, having charge or management of any manufacturing establishment, workshop or hotel, who shall fail to comply with the provisions of said sections, within thirty days after being notified in writing to do so, by any one of said officers whose duty it may be to enforce the provisions of said sections, shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days. * * * [C 1897 S Supp 1915 s 4999–a5]

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KANSAS

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Note.—[The duties and powers relating to the enforcement of labor laws heretofore exercised by the commissioner of the bureau of labor and industry and State factory inspector, the State mine inspector, etc., have been transferred by section 3, chapter 217, Acts of 1913 to the commissioner of labor and industry. In every case the new enforcing authority has been indicated by an insertion in brackets in the text, the former enforcing power being omitted.]

MERCANTILE ESTABLISHMENTS, RESTAURANTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—The proprietor, manager or person having charge of any mercantile establishment, store, shop, hotel, restaurant or other place where women or girls are employed as clerks or help therein in this State shall provide chairs, stools or other contrivances for the comfortable use of such female employees, and shall permit the use of same by such female employees for the preservation of their health and for rest when not actively employed in the discharge of their respective duties. [General Statutes 1909 section 4658]

Penalty.—Any proprietor, manager or other person violating the preceding section of this act [s 4658–4659] shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than ten dollars nor more than one hundred dollars. [G S 1909 s 4659]

COAL MINES

MINIMUM AGE AND SCHOOL CERTIFICATES

Enforcement: duties of commissioner of labor and industry.—The [commissioner of labor and industry] shall devote the whole of his time to the duties of his office. It shall be his duty to examine each mine in the State as often as possible, and at least twice each year, to see that all provisions of this act [s 4983–4998] are observed and strictly carried out * * *. [G S 1909 s 4993]

Employment under 12 prohibited; ability to read and write and school attendance certificate required from 12 to 16; penalty.—No person under twelve years of age shall be allowed to work in any coal mine, nor any minor between the ages of twelve and sixteen years unless he can read and write and furnish a certificate from a school teacher, which shall be kept on file, showing that he has attended school at least three months during the year; and in all cases of minors applying for work, the agent of such coal mine shall see that the provisions of this section are not violated; and upon conviction of a willful violation of this section of this act [s 4983–4998], the agent of such coal mine shall be fined in any sum not to exceed fifty dollars for each and every offense. [G S 1909 s 4996]

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Definitions.—The terms "owner," "owners," "lessee," "agent," or "operator," as used in this act [s 4983–4998] shall include the immediate proprietor, lessee or occupier of any coal mine, or any person having on behalf of any owner or owners or lessee as aforesaid the care and management of any coal mine, or any part thereof. [G S 1909 s 4997]

ALL OCCUPATIONS

WAGES

Payment to minor if contract with him alone.—When a contract for the personal service of a minor has been made with him alone, and those services are afterwards performed, payment made therefor to such minor in accordance with the terms of the contract is a full satisfaction for those services, and the parent or guardian can not recover therefor. [G S 1909 s 5063]

FACTORIES, WORKSHOPS, MINES, THEATERS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations, in operating elevators, etc., and in any occupation during school hours.—No child under fourteen years of age shall be at any time employed, permitted or suffered to work in, or in connection with, any factory, workshop, not owned or operated by the parent or parents of said child, theater or packing house, or operating elevators, or in or about any mine. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever during the hours in which the public school is in session in the district in which said child resides. [G S 1909 s 5094]

FACTORIES, WORKSHOPS, MINES, THEATERS, DANGEROUS AND IMMORAL OCCUPATIONS, ETC.

HOURS OF LABOR AND MINIMUM AGE

Eight hours a day, 48 a week, and night work prohibited, under 16 in these occupations and in messenger service; employment under 16 prohibited in dangerous, injurious, and immoral occupations.—It shall be unlawful for children under sixteen years of age, who are employed in the several vocations mentioned in this act [s 5094–5098], or in the distribution or transmission of merchandise or messages, to be employed before seven o'clock a. m. or after six o'clock p. m., or more than eight hours in any one calendar day, or more than forty-eight hours in any one week. No person under sixteen years of age shall be employed at any occupation nor at any place dangerous or injurious to life, limb, health or morals. [G S 1909 s 5095]

Court decision.—A minor injured in employment in violation of the statute may recover damages though the statute does not in terms give a right of action.—Casteel *v.* Pittsburg Brick Co., 83 Kan. 533, 112 Pac. 145 (1910).

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates of age required under 16; school authorities to issue certificates where possible; other evidence of age; contents of certificates.—All persons, firms or corporations employing children in any of the vocations mentioned in this act [s 5094–5098] under sixteen years of age shall be required to first obtain a certificate of the age of such children, based upon the school census records, the same to be secured where possible from the school superintendent, principal or teacher of the school or other person authorized by the school board to have charge of the school census records in the district or city wherein such children reside. Said certificate shall be issued without charge, and shall be substantially in the following form:

.....[city], ...[county], Kan., ...[date].

This certifies that .....[full name], according to the records of the school census and from all knowledge that I can obtain, was born .....[day], ...[month], ...[year], at ....., in .....county, State of ....., and is now .....years and .....months of age. His [or her] height is .....[tall—short—medium], weight .....[heavy—light—medium], complexion .....[fair or dark], hair .....[color], eyes .....[color], and he resides at No. ...., ...street.

(Signature).....

.....[official school position] of .....[name of school] school or district No. ....

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When said child's name and age does not appear on the school census enumeration of said city or district, then said firm, person or corporation employing such child shall secure an affidavit from the parent or legal guardian of such child, which statement shall contain the facts and data as set forth in the above certificate, and shall be certified on oath before some officer authorized to administer oaths. Such certificate or affidavit shall be sufficient protection to the employer of any child as to the age of such child, except when such employer has actual knowledge of the falsity of such certificate; and all such certificates shall be kept constantly on file in a convenient place, and shall at all times be open to inspection of the proper authorities, as provided in this act. [G S 1909 s 5096]

ENFORCEMENT AND PENALTIES

Duties of commissioner of labor and industry, etc.—It shall be the duty of the [commissioner of labor and industry] and [his] deputies to inspect the certificates hereinabove provided for, to examine children employed in factories, workshops, theaters, elevators, packing houses and mines and the vocations mentioned in section 2 [5095] of this act [s 5094–5098] as to their age, and to file complaints in any court of competent jurisdiction to enforce the provisions of this act, and it shall be the duty of the county attorney of the proper county to appear and prosecute all complaints so filed. [G S 1909 s 5097]

Penalty.—Any person, firm or corporation employing any person or child in violation of any provision of this act [s 5094–5098], or permitting or conniving at such violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment [sic] in the county jail not less than thirty days nor more than ninety days. [G S 1909 s 5098]

PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in rope walking, acrobatic performances, etc., prohibited; penalty for parent, employer, etc.—* * * Any person having in his custody or control a child under the age of fourteen years, who shall in any way dispose of it with a view to its being employed as an acrobat, or a gymnast, or a contortionist, or a circus rider, or a ropewalker, or in any exhibition of like dangerous character, or as a beggar or mendicant, or pauper, or street singer, or street musician; or any person who shall take, receive, hire, employ, use, exhibit, or have in custody any child of the age last named for any of the purposes last enumerated, shall be deemed guilty of a misdemeanor, and when convicted thereof shall be subject to punishment by a fine of not more than two hundred and fifty dollars, or by imprisonment for a term not exceeding one year, or both. [G S 1909 s 5136]

Enforcement: societies for protection of children, etc.—Any duly incorporated society having for its object, either solely or in conjunction with other charitable labor, the protection of children, and employing an agent to aid in its work, may apply to the mayor of any city for the appointment of such agent as a special police officer; and if the mayor shall deem such agent to be trustworthy and discreet, it shall be his duty to commission such agent as a special policeman. In cities in which the police force is under the control of a board of commissioners, such application shall be made to and such appointment may be made by such board of commissioners. [G S 1909 s 5138]

Enforcement: duties and powers of police officers, etc.—It shall be the duty of sheriffs, deputy sheriffs, constables and police officers in any county or city to aid such society in the enforcement of all laws relating to the protection of children; and any sheriff, deputy sheriff, constable or police officer shall have power to arrest without warrant any person violating within his view any law relating to the protection of children, or other parties so offending * * *. [G S 1909 s 5139]

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RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours work for certain employees; exceptions.—It shall be unlawful for any corporation or receiver operating a line of railroads [railroad] in whole or in part in the State of Kansas, for any officer, agent or representative of such corporation or receiver, to require or permit any conductor, engineer, fireman, brakeman, train dispatcher, telegraph operator or any trainman who has worked in his respective capacity for sixteen consecutive hours, to continue on duty or perform any work for such railroad until he has had at least eight hours' rest: *Provided*, That this act shall not apply in case of washout, wrecks, or unavoidable blockades, nor shall it be construed to prevent the crew of a train which contains live stock or perishable freight in carload lots from running to the next division point after the expiration of the time limit provided for in this act: *Provided further*, That this section shall not apply to employees of sleeping-car companies, baggagemen, and express messengers. [G S 1909 s 7129]

Enforcement and penalty.—Any corporation or receiver operating a line of railroad in whole or in part in this State who shall knowingly violate any provisions of this act [s 7129–7130] shall be liable to the State of Kansas for a penalty of not less than one hundred dollars nor more than two hundred dollars for each offense, * * * and upon complaint being made to the commissioner of labor, he is thereby authorized to investigate such complaint, and shall be empowered to examine the train sheets, registers, and dispatchers' reports, and to hear such other evidence as may be offered by officers or employees of such railroad company, to determine whether such complaint is well founded; and if the complaint appears to be well founded, it shall be the duty of said commissioner of labor to file a complaint before the county attorney of the proper county through which said company may operate. [G S 1909 s 7130]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15, inclusive; exemptions over 14 if able to read and write and regularly employed; other exemptions.—Every parent, guardian or other person in the State of Kansas having control or charge of any child or children between the ages of eight and fifteen years, inclusive, shall be required to send such child or children to a public school, or a private, denominational or parochial school taught by a competent instructor, each school year, for such period as said school is in session: *Provided*, That any child of the age of fourteen years or more who is able to read and write the English language, and who is actively and regularly employed for his own support or for the support of those dependent upon him, shall not be required to attend the aforesaid schools for a longer period or term than eight consecutive weeks in any one year: *Provided*, That any and all children that have received a certificate of graduation from the common schools of any county or certificate of admission to a high school in any city of the State of Kansas shall be exempt from the provisions of this act: *Provided*, That the children who are physically or mentally incapacitated for the work of common schools are exempt from the provisions of this act [s 7736–7741]; but the school authorities shall have the right, and they are hereby authorized, when such exemption under the provision of this act is claimed by any parent, guardian, or other person in the control or charge of such child or children, to cause an examination of such child or children by a physician or physicians employed for such purpose by such authorities, and if such physician or physicians hold that such child or children are capable of doing the work in the common schools, then such child or children shall not be exempt from the provisions of this act. [G S 1909 s 7736]

Opinions.—The ages are from the time the child becomes eight years old until it becomes fifteen years old. The parent or guardian may determine the particular kind of a school which the child shall attend. Attendance at a night school does not afford sufficient time to become a substitute for attendance upon a day school. This State requires that instructors in such schools be competent; a teacher may be competent without being the holder of a teacher's certificate.

The child must be able to read and write the English language, and also be actively and regularly employed as stated in the law.

It is entirely within the province of school authorities to determine the validity of the claim for exemption.—State Superintendent of Public Instruction (1913).

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[1] See court decision on page 7 (New York).

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Enforcement: appointment, duties, and powers of truant officers, juvenile court, etc.; employment under 15, unless exempt from attendance, prohibited during school term; exceptions; penalty for employer, parent, etc.—The county superintendents of public instruction shall divide their respective counties, exclusive of all cities of the first and second class therein, into not less than one nor more than five truant districts, and the board of county commissioners shall, upon the nomination of the county superintendents of public instruction of their respective counties, appoint a truant officer for each district thus created, who shall hold his office at the will of the county superintendent of public instruction; and the boards of education of all cities of the first and second class respectively, shall, independently and originally, appoint the truant officers or officer of their respective cities, to serve at the pleasure of the appointing board. Each truant officer, in his respective district, shall see that the provisions of this act [s 7736–7741] are complied with, and when from personal knowledge, or by report, or complaint of any resident or teacher of the district under his supervision, or from any information, he believes that any child subject to the provisions of this act is habitually absent from any school which it should or has been accustomed to attend, or has been assigned to attend by order of the directors of any country district, or by the classification, transfer, or order of the board of education or superintendent of schools of any city of the first or second class, for a period of three or more consecutive days, unless excused under the provisions of section 1 [7736] of this act, he shall immediately give written notice to the parent, guardian or other person having control or charge of such child, or, in the absence of such parent, guardian or other person having control or charge from his or her usual place of residence, shall leave a copy of such notice with some person over twelve years of age residing at the said usual place of residence, with instructions to hand said notice to said parent, guardian or other person having control or charge of such child, which notice shall require the attendance of said child at said school within five days from date of same; and if within five days from the date of said notice such parent, guardian or other person having control or charge of such child does not comply with the provisions of this act, then such truant officer shall make complaint in the name of the State of Kansas against such parent, guardian or other person having control or charge of such child in the juvenile court or other court of competent jurisdiction of such county, which court is hereby clothed with jurisdiction over all offenders and proceedings under this act, with full power to try and hear all complaints, impose fines, enforce their collection by distress or imprisonment, and to fully execute the provisions of this act. It shall be unlawful for any merchant, company, or other party, without the written permit of the board of directors of any country district, or of the board of education of any city of the first or second class, to employ any child therein, between the ages of eight and fifteen years, during the sessions of the school term or year, unless such child is exempt from attendance under the provisions of section 1 [7736]: *Provided*, That the board of directors of any country district or the board of education of any city of the first or second class shall have authority, in the exercise of a sound discretion, to permit temporary absences of children from school, between the ages of eight and fourteen years, in extreme cases of emergency or domestic necessity. Any parent, guardian or other person having control or charge of such child delinquent in school attendance, and any merchant company, or other party unlawfully employing such child, upon conviction of the violation of any provision of this act, or of the act of which this is amendatory, shall be adjudged guilty of a misdemeanor, and shall be fined in a sum not less than five dollars nor more than twenty-five dollars for each offense, and be committed to the county jail till same is paid; all fines collected shall be paid into the county treasury for the support of the common schools. It shall be the duty of all county attorneys, for country districts, in their respective counties, and of all city attorneys, in their respective cities, to prosecute all complaints filed and actions brought under this act or under the provisions of the act of which this is amendatory. [G S 1909 s 7737]

Opinion.—The truant officer appointed by the county commissioners is under the direction and supervision of the county superintendent.—State Superintendent of Public Instruction (1913).

Enforcement: duties of teachers.—All school officers are hereby required to make and furnish all reports that may be required by the county superintendent of public instruction or by the board of education of any city of the first and second class with reference to the workings of this act [s 7736–7741]. Every teacher employed in the public schools in the State of Kansas is hereby required, before receiving each month's salary, to make a report to the county superintendent of public instruction or to the superintendent of the city in which he may be employed, showing the names and

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addresses of all pupils who have been truant or habitually absent from school during the previous month, and stating reasons for such truancy or habitual absence in each case, if known. All such cases of truancy so reported shall be brought to the notice of the proper truant officer by the county superintendent of public instruction or by the superintendent of the city by which he is employed. [G S 1909 s 7740]

SCHOOL CENSUS

Enumeration of school children.—In order that the provisions of this act [s 7736–7741] may be more definitely enforced, it is hereby provided that the enumerators of school children, in taking their annual school census, shall ascertain and record the name, place and date of birth of every child enumerated, and the parent, guardian or persons having charge or control of such child shall subscribe and take oath or affirmation that such record is true. The enumerator is hereby empowered to administer such oath or affirmation; and any parent, guardian or person having charge or control of any child who shall refuse to take such oath or affirmation shall be adjudged guilty of misdemeanor, and upon conviction thereof shall be fined in any sum not less than one nor more than ten dollars. [G S 1909 s 7741]

Opinion.—In all districts under the supervision of the county superintendent the district clerk is the enumerator.—State Superintendent of Public Instruction (1913).

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of commissioner of labor and industry.—* * * It shall also be the duty of the commissioner of [labor and industry] to cause to be enforced all laws regulating the employment of children, minors, and women; all laws established for the protection of health, lives and limbs of operators in workshops and factories, on railroads, and other places; and all laws enacted for the protection of the working classes now in force or that may hereafter be enacted. In its annual report the [commissioner] shall also give an account of all proceedings which have been taken in accordance with the provisions of this act [s 8015–8026], or any of the other laws herein referred to, and in addition thereto such remarks, suggestions and recommendations as the commissioner may deem necessary for the information of the legislature. [G S 1909 s 8017]

Powers of commissioner.—The commissioner, as State factory inspector, shall have power to enter any factory or mill, workshop, private works or State institutions which have shops or factories, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act [s 8015–8026], and to examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places, and to keep a record thereof [sic] of such inspection. * * * [G S 1909 s 8019]

Definitions.—The following expressions used in this act [s 8015–8026] shall have the following meanings: The expression "person" means an individual, corporation, partnership, company, or association. The expression "children" means minor persons under the age of fourteen years. The expression "minor" means a male person under the age of twenty-one years, or a female person under the age of eighteen years. The expression "women" means female persons of eighteen years of age and upward. The expression "factory" means any premises where steam, water or other mechanical power is used in aid of any manufacturing process there carried on. The expression "workshop" means any premises, room, or place, not being a factory as above defined, wherein any manual labor is exercised by way of trade, or for the purpose of gain in or incidental to any process of making, altering, repairing, ornamenting, finishing or adapting for sale any article or part of an article, and to which or over which premises, room or place the employer of the person or persons working therein has the right of access or control: *Provided however*, That the exercise of such manual labor in a private house, or a private room, by the family dwelling therein, or by any of them, or in case a majority of persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition. The aforesaid expressions shall have the meanings above defined for them respectively in all laws of this State relating to the employment of labor, unless a different meaning is plainly required by the context. [G S 1909 s 8020]

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Duties and powers relating to labor laws transferred to commissioner of labor and industry.—The commissioner of labor and industry shall be ex officio State factory inspector, State mine inspector, and director of the free employment bureaus and is hereby given full jurisdiction over and control of factory, workshop and mill inspection, mine inspection and the free employment bureau, and all the duties now imposed by existing laws upon the commissioner of the bureau of labor and industry and State factory inspector, State mine inspector and director of the free employment bureau shall from and after the taking effect of this act, devolve upon the commissioner of labor and industry appointed as herein provided. [1913 C 217 s 3]

Appointment of factory and mine inspectors, etc.—The commissioner of labor and industry shall appoint an assistant commissioner who shall have had at least five years' practical experience as a miner, particularly in coal mines, and have been a resident of the State of Kansas for at least two years immediately preceding his appointment. The commissioner of labor and industry shall also appoint one chief clerk, one statistical clerk, one free employment bureau clerk, one stenographer, two deputy State factory inspectors * * * and five deputy State mine inspectors, and in addition he may also employ special agents and such other assistants as may be necessary in the discharge of his official duties and such officials shall have been residents of the State for at least two years. * * * [1913 C 217 s 4]

Appointment and duties of woman deputy factory inspector.—The commissioner of labor and industry shall appoint as one of the deputy State factory inspectors a woman who, under the direction of the commissioner of labor and industry, shall have charge of the enforcement of all laws relating to the health, sanitary conditions, surroundings, hours of labor and all other laws affecting the employment of female wage earners. Such woman shall be a qualified elector of this State, shall have had at least two years' actual experience along the line of her labors as prescribed by this act * * *. [1913 C 217 s 5]

ALL OCCUPATIONS

MINIMUM WAGE, HOURS AND CONDITIONS OF LABOR

Inadequate wages, long hours, and insanitary conditions of labor declared pernicious in their effect on health and welfare of women and minors.—The State of Kansas exercising herewith its police and sovereign power declares that inadequate wages, long continued hours and unsanitary conditions of labor, exercise a pernicious effect on the health and welfare of women, learners and apprentices, and minors. [1915 C 275 s 1]

Unlawful to employ women and minors under such conditions.—It shall be unlawful to employ women, learners, and apprentices and minors in any industry or occupation within the State of Kansas under conditions of labor detrimental to their health or welfare and it shall be unlawful to employ women, learners, and apprentices and minors in any industry within the State of Kansas at wages which are not adequate for their maintenance and for more hours in any one day than is consonant with their health and welfare, except as hereinafter provided. [1915 C 275 s 2]

Industrial welfare commission established; purpose; organization of commission.—There is hereby created a commission to be known as the industrial welfare commission for the State of Kansas to establish such standard of wages, hours, and conditions of labor for women, learners and apprentices, and minors employed within this State as shall be held hereunder to be reasonable and not detrimental to health and welfare. This commission shall consist of the commissioner of labor and two others appointed by the governor. No two of whom shall be from any one congressional district. At least one member of this commission shall be a woman. The first appointment shall be made within sixty days after the passage of this act. One member shall be appointed to serve until January 1, 1917, a second to serve until January 1, 1918. Thereafter each member shall be appointed for a term of four years and until his successor is appointed and qualifies. The governor shall have the power of removal for cause. Any vacancy that may occur shall be filled in like manner for the unexpired portion of the term. The commission shall have power to elect its own chairman, a secretary, and such other employees as it may require. Two members of the commission shall constitute a quorum at all regular meetings: *Provided*, That no person shall be appointed on such commission, who is related by blood or marriage to the commissioner of labor, or to any State officer, or to any member of any other State board or commission. And no person shall be appointed to any place or position on said commission or be employed by such commission in any way, who is related by blood or marriage to any member thereof, or to any of its chief officers or heads of departments. [1915 C 275 s 3]

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Compensation.—Each member of the commission shall be paid all traveling and other necessary expenses incurred in the performance of his or her official duties, but shall serve without salary. The commission may incur other necessary expenses not exceeding the appropriation therefor and shall be provided with an office in the State house. [1915 C 275 s 4]

Commission to investigate wages, hours and conditions of labor, etc.—The commission may at its discretion investigate wages, hours and sanitary and other conditions affecting women, learners and apprentices and minors in any industry or occupation in the State. Upon the request of not less than twenty-five persons engaged in any occupation in which women, learners and apprentices and minors are employed, it shall become the duty of the commission to make such investigation as is herein provided. To this end, said commission shall have full power and authority to call for statements and to examine, either through its members or other authorized representatives, all pay-rolls or other wage records of all persons, firms or corporations employing women, learners and apprentices and minors as to any matter that would have a bearing upon the question of wages, hours, or labor conditions of such employees. [1915 C 275 s 5]

Records to be kept by employers.—Every employer of women, or of learners and apprentices, or of minors shall keep a register of all such persons employed by him in such form as the commission shall prescribe; and every such employer shall on request permit the commission, or any of its members, or agents, to inspect such register. [1915 C 275 s 6]

Public hearings; powers of commission to subpoena witnesses, administer oaths, etc.—The commission may hold public hearings at such times and places as it deems fit and proper for the purpose of investigating any matters it is authorized to investigate by this act. At any such public hearings, any employee, or employer or other interested person may appear and give testimony as to wages, hours, sanitation and other pertinent conditions of the occupation or industry under investigation. The commission or any member thereof shall have power to subpoena witnesses, to administer oaths, to compel the production of all wage records, papers, and other evidence, and to make findings and report such findings to the commission; but no order shall be made by less than a majority of the commission. Witnesses subpoenaed by the commission may be allowed such compensation for travel and attendance as the commission may deem reasonable, to an amount not exceeding the usual mileage and per diem allowed by statute to witnesses in civil cases in the district court. [1915 C 275 s 7]

Method of establishing wage, hour, or sanitary board.—If after investigation the commission is of the opinion that in any occupation the wages, hours and conditions, sanitary and otherwise, are prejudicial to the health or welfare of any substantial number of the classes of employees named in this act and are inadequate to supply the necessary cost of living and to maintain the worker in health it shall establish a wage-, hour- or sanitary board as the conditions developed may demand, which shall hereinafter be described as the "board" consisting of not less than three representatives of employers in the occupation in question, of an equal number of persons to represent the employees in the occupation in question, and of one or more disinterested persons appointed by the commission to represent the public, and shall make rules and regulations governing the selection of members and the modes of procedure of the board, and shall exercise exclusive jurisdiction over all questions arising with reference to the validity of the procedure and of the determinations of the board. The members of the board shall be compensated at the same rate as jurors in civil cases in the district court, and they shall be allowed the necessary traveling and clerical expenses incurred in the performance of their duties. [1915 C 275 s 8]

Powers, duties, and recommendations of board.—The commission may transmit to each board all pertinent information in its possession relative to the wages, hours and sanitary conditions of the occupation in question. Each board shall endeavor to determine the minimum wage, whether by time-rate or piece-rate, required in the case of a woman worker of ordinary ability in the occupation in question to supply the necessary cost of living and the number of hours and other sanitary conditions necessary to maintain her health, and suitable minimum wages, hours, and sanitary conditions for learners and apprentices, and minors: *Provided however*, That such board may recommend different minima hours and standards for each class in an occupation of different localities in the State, when, in the judgement of said board, the different conditions obtaining justify such action. When a majority of the members of a board shall agree upon minimum wage, standard of hours, or sanitary determinations, they

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shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto. [1915 C 275 s 9]

Commission empowered to fix minimum wage, hours and conditions of labor; publication and posting of orders.—Upon receipt of the report of the determinations of a board, the commission shall consider and review the same; and it may approve any or all of such determinations or disapprove any or all of them; and it may re-submit to the same board, or a new board, any subject covered by any determinations so disapproved. If the commission approves any determination contained in a report from a board, it shall publish a notice, not less than once a week for four successive weeks in the official State paper, that it will on a date and at a place named in said notice, hold a public meeting at which all persons in favor of or opposed to said recommendations will be given a hearing; and, after said publication of said notice and said meeting, the commission may, in its discretion, make and render such an order as may be proper or necessary to adopt such determinations and carry the same into effect, and require all employers in the occupation affected thereby to observe and comply with such determinations and said order. Said order shall become effective in sixty days after it is made and rendered and shall be in full force and effect on and after the 60th day following its making and rendition. The commission shall, in so far as it is practicable, mail a copy of any such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment. [1915 C 275 s 10]

Reconsideration of decisions.—Whenever wages, hours, or conditions of labor have been made mandatory in any occupation, upon petition of either employers or employees, the commission may at its discretion re-open the question and re-convene the former board or call a new one, and any determinations made by such board shall be dealt with in the same manner as were the original determinations. [1915 C 275 s 11]

Special individual minimum wage and shorter hours may be granted employees physically defective, etc.—For any occupation in which only a minimum time wage has been established, the commission may issue to an employee physically defective or crippled, or of less than ordinary ability, or learners, apprentices, and minors a special license authorizing the employment of such person at a wage and for a number of hours less than that fixed by said commision to be stated in said license. [1915 C 275 s 12]

Definition of terms; powers of commission to make separate orders for different occupations, etc.—The word "occupation" as used in this act shall be so construed as to include any and every vocation and pursuit and trade and industry. The words "learners" and "apprentices" shall include only such learners and apprentices as are minors or are women. Any board may make a separate inquiry into and report on any branch of any occupation; and the commission may make a separate order affecting any branch of any occupation. A "minor" shall mean a person, male or female, under 18 years of age. A "woman" [sic] shall mean any female 18 years of age and over. Any board may include in its determinations definitions of "learner" and "apprentice" and the commission shall have power to make such rules and regulations and to issue such orders relating to the same as it deems necessary to make effective the object of this act. [1915 C 275 s 13]

Right of appeal from decisions.—Any employer or employee or other person who shall be interested therein, who shall be dissatisfied with any order, ruling or holding of the commission may, within thirty days from the making thereof, commence an action in the district court of Shawnee county or in the district court in the county in which the person so complaining shall reside or have his principal place of business against the industrial welfare commission, as defendant, to vacate and set aside such order, ruling or holding on the ground that the same is unauthorized by law, confiscatory or unreasonable, and in any such action all determinations of questions of fact which shall have been made by the commission under the foregoing provisions of this act shall be presumed to be correct and the burden of proof shall be upon the plaintiff to show the incorrectness of such determinations. In all such actions, the attorney general shall appear for and represent such commission. All such actions shall have preference in any court and on motion shall be advanced over any civil cause of a different nature pending in such court and such action shall be tried and determined as other civil actions. Appeal from any decision of the district court may be taken from the district court to the supreme court in the same manner as provided by law in other civil actions and shall have precedence in the supreme court over civil cases of a different nature. During the pendency of any

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such action the orders, rulings and holdings complained of shall, unless temporarily stayed or enjoined by the court, remain in full force and effect until final judgment. Service of summons on any member of the board shall be sufficient service on the board. [1915 C 275 s 14]

Penalty for violation of act.—A violation of any provision of this act shall constitute a misdemeanor, and any one convicted thereof shall be punished by a fine of not less than twenty-five ($25.00) dollars, nor more than one hundred ($100.00) dollars for each such misdemeanor. [1915 C 275 s 15]

Testimony, etc., of employee not to cause discharge or discrimination; penalty.—Any employer who discharges, or in any other manner discriminates against any employee because such employee has signed or agreed to sign any request to the commission to investigate wages, hours, or sanitary, or other labor conditions, or has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings or sign any request relative to the enforcement of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars for each such misdemeanor. [1915 C 275 s 16]

Penalty for paying less than minimum wage or for employing longer hours than those established; right to recover balance.—Any employer who employs any woman, or minor, learner or apprentice in any occupation at less than the minimum wage or for a greater number of hours in a day or week fixed or under sanitary or other conditions forbidden by order or license issued by the commission, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100) dollars for each such misdemeanor. Any woman or minor or learner or apprentice who shall receive less than the minimum wage or shall be compelled to work for a greater number of hours than that fixed by order or license issued by the commission, shall be entitled to recover in a civil action the full amount of the legal minimum wage, and compensation at the same rate for the number of hours of over-time work as herein provided for, together with costs and attorney's fees to be fixed by the court, notwithstanding any agreement to work for such lesser wage or greater number of hours. In such action, however, the employer shall be credited with any wages which have been paid upon account. [1915 C 275 s 17]

Commission to investigate compliance with orders.—The commission shall, from time to time, investigate and ascertain whether or not employers or employees in the State of Kansas are observing and complying with its orders and take such steps as may be necessary to have prosecuted such employers and employees as are not observing and complying with its orders. [1915 C 275 s 18]

Commissioner of labor to furnish statistics.—The commissioner of labor and the several inspectors of the bureau of labor shall, at any and all times, give to the commission any information or statistics in their respective offices that may assist said commission in carrying out this act and render such assistance as said commission as may not be inconsistent with the performance of their respective official duties. [1915 C 275 s 19]

Biennial report.—The commission shall biennially make a report to the governor and legislature of its investigations and proceedings, and such reports shall be printed and distributed as in the case of other executive documents. [1915 C 275 s 20]

Application of act.—This act is to be construed as supplemental to existing laws regulating the employment of women, learners and apprentices and minors. [1915 C 275 s 21]

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KENTUCKY

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

General assembly to fix minimum ages and provide penalties.—The general assembly shall, by law, fix the minimum ages at which children may be employed in places dangerous to life or health, or injurious to morals; and shall provide adequate penalties for violations of such law. [Constitution section 243]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment of labor inspectors.—In the bureau of agriculture, labor and statistics there shall be appointed by the commissioner, with the approval of the governor, two labor inspectors and two assistant labor inspectors. One of said inspectors and one assistant inspector shall be men having practical knowledge of factories, machine or workshops, and the other inspector and assistant inspector shall be women, and said inspectors and assistants shall be under the supervision of the commissioner. [Statutes 1915 section 33a.1]

Duties of labor inspectors.—It shall be the duty of the male labor inspectors to visit and inspect the various factories, machine and workshops in this State; and it shall be the duty of the female labor inspectors to visit and inspect the various factories, laundries, workshops, stores, or mercantile, manufacturing or mechanical establishments or hotels, restaurants, telephone exchanges or telegraph offices in which women are employed. It shall be the duty of all such inspectors under the direction of the commissioner, to report to the Commonwealth's attorney and county attorney any violation occurring in said county of any law or laws enacted for the protection of women, children and other persons employed in such county. [St 1915 s 33a.2]

Powers of labor inspectors; penalty for hindering inspectors.—It shall be the duty of every owner, manager and agent of any factory, machine or workshop where male

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laborers are employed, and of any factory, workshop, laundry, store, or mercantile, manufacturing or mechanical establishment, or hotel, restaurant, telephone exchange or telegraph office where women are employed, to admit the labor inspector during reasonable hours and while the same is open, for the purpose of making an inspection of same, and any person who shall refuse to admit such inspectors in violation of the provisions of this section shall be fined not to exceed one hundred ($100) dollars, or to [sic] be imprisoned in jail not more than six months, or both so fined and imprisoned in the discretion of the jury. [St 1915 s 33a.3]

NOTE.—[Sections 2722–2738e of the Statutes of 1915, provide for an inspector of mines, who has assistants, but his duty appears to be only to enforce the provisions of the act which relates to the safety and sanitation of coal mines, but which contains nothing relative to the employment of minors.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 prohibited; employment of girls under 16 in peddling or wandering occupations prohibited; penalty for parent, employer, etc.—A person who, for gain or reward, employs or causes to be employed, or who exhibits, uses, or who has in his custody for the purpose of exhibiting or employing, any child actually or apparently under the age of sixteen years, or any person who, having the care, custody, or control of such child, as parent, relative, guardian, employer, or otherwise, sells, lets out, gives away, or in any way procures or consents, for gain or reward to the employment or exhibition of such child, either, first, in begging or receiving alms, or in any mendicant occupation; second, or (being a female) in peddling or in any wandering occupation; third, or male or female in any indecent or immoral occupation or practice, or in the exhibition of any such child when insane or idiotic; or, fourth, in any practice or exhibition of unusual danger to the life, limb, health or morals of the child, is guilty of a misdemeanor, and shall, for the first offense, be fined not more than twenty dollars, or confined in the county jail or workhouse, in counties having a workhouse, not more than ninety days, or both so fined and confined within the discretion of the court; and, upon conviction for a second or any subsequent offense, shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the penitentiary for a term not exceeding one year, or both so fined and confined within the discretion of the jury. [St 1915 s 326]

Enforcement: police and peace officers, etc.; penalty.—The police officer and constable must, and any agent or officer of an incorporated society for the prevention of cruelty to children or animals or charity organization may, upon proper affidavit and warrant, arrest and bring before the court or magistrate having jurisdiction, any person offending against any of the provisions of this act [s 325–331], or any minor coming within any of the descriptions of children mentioned in this act. Such police officer, constable or agent may interfere to prevent the perpetration in his presence of any act forbidden by this act. Any person who obstructs or interferes with any officer or agent of such society or organization in the exercise of his authority under this act, is guilty of a misdemeanor, and shall be fined not more than twenty dollars, or be confined in the county jail or workhouse, in counties having a workhouse, not more than ninety days, or both so fined and confined within the discretion of the court. * * * [St 1915 s 330]

Enforcement: societies for prevention of cruelty to children.—The commissioned agents of any society for the prevention of cruelty to children or animals, or of any charity organization, shall have the same rights, powers and duties as regular policemen and other peace officers, for the enforcement of the provisions of this act [s 325–331]. [St 1915 s 331]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, THEATERS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations, in messenger, telephone and telegraph service, etc.; in any occupation during school term.—No child under fourteen years of age shall be employed, permitted or suffered to work in or in connection with any factory, mill, workshop, mercantile establishment, store, office, printing establishment, bakery, laundry, restaurant, hotel, apartment house, theatre, motion picture

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establishment, or in the distribution or transmission of merchandise or messages. It shall be unlawful for any person, firm, or corporation to employ any child under fourteen years of age in any business or service whatever during any part of the term during which the public schools of the district in which the child resides are in session. Nor shall any child under fourteen years of age be permitted to perform in or appear upon the stage of any theater, motion picture establishment or other place of public amusement, whether for pay or not. [St 1915 s 331a.1]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16; lists to be posted; certificate to be returned to issuing office; evidence of age may be required for children apparently under 16; failure to produce proof of age evidence of illegal employment.—No child between fourteen and sixteen years of age shall be employed, permitted or suffered to work in or in connection with any factory, mill, workshop, mercantile establishment, store, office, printing establishment, bakery, laundry, restaurant, hotel, apartment house, theater, motion picture establishment, or in the distribution or transmission of merchandise or messages, unless the person, firm or corporation employing him procures from the local school authorities and keeps on file and accessible to the truant officers and to the labor inspectors, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. On termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be returned by the employer to the officer by whom it was issued within two days of the termination of the employment of such child. A labor inspector may make demand on an employer in whose establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work and whose employment certificate is not then filed as required by this act [s 331a.1–331a.17], that such employer shall either furnish him, within ten days, evidence satisfactory to him that such child is in fact sixteen years of age or over, or shall cease to employ, or permit, or suffer such child to work therein. A labor inspector may require from such employer the same evidence of age of such child as is required for the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the labor inspector, within ten days after such demand, such evidence of the age therein required of him, and thereafter continue to employ such child, or permit or suffer such child to work in such establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for violation of the provision that such child is under sixteen years of age and is unlawfully employed. [St 1915 s 331a.2]

School authorities to issue certificates.—Employment certificates shall be issued only by the superintendent of schools or by a person authorized by him in writing, acting in his name. Where there is no local superintendent of schools they shall be issued by the county superintendent of schools, or by a person so authorized by him. [St 1915 s 331a.3]

Age, school, and health records and promise of employment required; method of issuing certificates; physical competence for the work; monthly reports to labor inspector of certificates issued; penalty for failure to transmit report.—The person authorized to issue employment certificates shall not issue such certificate until the child in question, accompanied by its parent or guardian, has personally made application to him therefor and until he has received, examined, approved and filed the following papers duly executed: (1) The school record of such child properly filled out and signed as provided hereinafter. (2) A duly attested transcript of the birth certificate filed according to law with any officer charged with the duty of recording births; or a passport, or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child; or, in case the officer authorized to issue the certificate is satisfied that none of such proofs of age can be produced, other evidence of age, such as a duly attested school census, or school enrollment record, or affidavit of the parent, guardian, or custodian of such child, such as shall convince such officer that the child is fourteen years of age or upwards. (3) The written statement of the person, firm or corporation in [sic] whose service the child is about to enter, that he intends to employ the child, which statement shall give the nature of the occupation for which the child is to be employed. (4) A certificate signed by a physician appointed by the school board, or other public medical officer, stating that such child has been examined by

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him, and, in his opinion, has reached the normal development of a child of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do. The superintendent of schools in any city, town, county or district, wherever there is one, and where there is none, then the county superintendent, shall, between the first and tenth days of each month, transmit to the office of the labor inspector a report, which report shall give (1) the name of each child to whom a certificate has been issued in the preceding month, together with the name and address of the establishment where such child was to be employed; and (2) the name of each child to whom a certificate has been denied in the preceding month, together with the ground of such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting same to the labor inspector shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five dollars * * *. [St 1915 s 331a.4]

Contents of school records; educational requirements; exceptions to requirement of school records.—The school record herein required shall be signed by the principal or chief teacher of the school which such child has last attended and shall be furnished, on demand, to a child who, after due examination and investigation, is found to be entitled thereto. It shall contain a statement certifying that the child has regularly attended a public school or school equivalent thereto or parochial school for not less than one hundred days, either during the twelve months previous to arriving at the age of fourteen years or during the twelve months previous to applying for such school record, and is able to read intelligently and write legibly simple sentences in the English language, and has completed satisfactorily a course of study equivalent to the first five yearly grades in reading, spelling, writing, English language and geography, as established in the graded schools of this Commonwealth, and is familiar with the fundamental operations of arithmetic up to and including common fractions. Such school record shall also give the name, date of birth and residence of the child as shown by the records of the school and the name of its parent, guardian or custodian: *Provided however*, That upon the filing with the person authorized to issue employment certificates of the affidavit of the applicant or of his or her parent, guardian or custodian showing that diligent effort has been made to obtain the school record hereby required, and that it can not be obtained, then the person authorized to issue the certificate may issue such a certificate without having received such school record, if the other requirements for such certificate have been fulfilled, but it shall be his duty in such case to examine the applicant as to his or her proficiency in each of the studies mentioned in this section, and he shall issue such certificate only after such applicant has shown that he or she has acquired a knowledge of said studies equivalent to that imparted by a course therein covering the first five yearly school grades; in such case the employment certificate shall show that such examination was had in lieu of the filing of the school report. If the principal of any reputable school, other than a public school, certify that a pupil has regularly attended his or her school as required herein and has satisfactorily completed a course of study equivalent to the first five yearly grades in the public school, said pupil shall be treated in all respects as if a pupil of the public school. [St 1915 s 331a.5]

Form of employment certificate furnished by State superintendent of public instruction.—The printed form of the certificate and other papers required in the issuing of employment certificates shall be drafted by the State superintendent of public instruction and furnished by him to the local and county superintendents of schools. [St 1915 s 331a.6]

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, under 16; hours to be posted.—No person under the age of sixteen years shall be employed or suffered or permitted to work in, about or in connection with any factory, mill, workshop, mercantile establishment, store, office, printing establishment, bakery, laundry, restaurant, hotel, apartment house, theater, motion picture establishment, or in the distribution or transmission of merchandise or messages, for more than six days in any one week, nor more than forty-eight hours in any one week, nor more than eight hours in any one day; nor before the hour of seven o'clock in the morning nor after the hour of six o'clock in the evening of any day; the presence of such child in any such establishment during working hours shall be prima facie evidence of its employment therein. Every employer shall post in a conspicuous place in every room where such minors are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form

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of such notice shall be furnished by the State labor inspector, and the employment of any such minor for longer time in any day than so stated shall be deemed a violation of this section. [St 1915 s 331a.7]

MINES, FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, THEATERS, ETC.

ENFORCEMENT

Duties and powers of attendance officers, labor inspectors, and State inspector of mines.—Truant officers may visit mines, factories, mills, workshops, mercantile establishments, stores, offices, printing establishments, bakeries, laundries, restaurants, hotels, apartment houses, theaters and motion picture establishments, in their several towns and cities and ascertain whether any minors are employed therein contrary to the provisions of this act [s 331a.1–331a.17], and they shall report any cases of such illegal employment to the superintendent of schools and to the labor inspector, or other authorized officer of the State. Labor inspectors and truant officers may require that the employment certificates and lists, provided for in this act, of minors employed in such establishments shall be produced for their inspection. Complaints for offenses under this act, except as to the employment of children in mines, shall be brought by the labor inspector. The provisions of this act with regard to the employment of children in mines shall be enforced by the State inspector of mines and his assistants, who shall bring all complaints for violation of the same. [St 1915 s 331a.8]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, elevators, dangerous processes, places where intoxicating liquors are manufactured or sold, etc.; other occupations subject to decisions of county physicians or city health officer; act not to interfere with use of guarded machinery in schools.—No child under the age of sixteen years shall be employed, permitted or suffered (1) to sew or to assist in sewing belts in any capacity whatever; (2) nor to adjust any belt to any machinery; (3) nor to oil, wipe or clean machinery; (4) nor to operate or to assist in operating any of the following named machines: (a) circular or band saws; (b) wood shapers; (c) wood joiners; (d) planers; (e) sandpaper or wood polishing machinery; (f) emery or polishing wheels used for polishing sheet metals; (g) wood turning or boring machinery; (h) picker machines or machines used in picking wool, cotton, hair or other materials; (i) carding machines; (j) paper-lace machines; (k) leather burnishing machines; (l) job or cylinder printing presses operated by other power than foot power; (m) boring or drill presses; (n) stamping machines used in sheet metal and tinware or in paper and leather manufacturing, or in washer and nut factories; (o) metal or paper cutting machines; (p) corner staying machines in paper box factories; (q) corrugating rolls such as are used in corrugated paper, roofing or washboard factories; (r) steam boiler, steam machinery or other steam generating apparatus; (s) dough brakes or cracker machinery of any description; (u) rolling mill machinery; (v) power punchers or shears; (w) washing, grinding or mixing machinery; (x) calender rolls in paper and rubber manufacturing; or (y) laundering machinery; (5) nor work in proximity to any hazardous or unguarded belts, machinery or gearing; (6) nor to work upon any railroad whether steam, electric or hydraulic; (7) nor to operate or assist in operating any passenger or freight elevator; (8) nor to work in any capacity in processes in which dangerous or poisonous acids are used; (9) nor to work in any capacity in the manufacture or packing of paints, colors or white or red lead; (10) nor to work at soldering; (11) nor to work in occupations causing dust in injurious quantities; (12) nor to work in the manufacture or use of dangerous or poisonous dyes; (13) nor to work in the manufacture or preparation of compositions with dangerous or poisonous gases; (14) nor to work in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (15) nor to work in any tunnel or excavation; (16) nor to work on scaffolding; (17) nor to work in any capacity in, about, or in connection with any mine, coke oven or quarry; (18) nor to work in assorting, manufacturing or packing tobacco; (19) nor to operate any automobile, motor car or truck; (20) nor to work in any bowling alley; (21) nor to work in any pool or billiard room; (22) nor to work in any distillery, brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; (23) nor to work in any hotel, theater, concert hall, club, place of amusement, or any other estab-

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lishment where intoxicating liquors are sold; (24) nor to work in any other occupation dangerous to the life or limb or injurious to the health or morals of such child, and as to these matters the decision of the county physician or city health officer, as the case may be, shall be final: *Provided however*, That nothing in this act [s 331a.1–331a.17] shall prevent the use of suitable machinery for purposes of instruction in schools where the mechanical arts are taught in connection with and as part of the usual school curriculum: But the use of such machinery in any school, whether public or private, shall be subject to the approval of the board of education or other governing school authority of the city or district wherein such school is situated, and shall be subject to the provisions of this act as to supplying safeguards for the protection of those using such machinery. [St 1915 s 331a.9]

Court decisions.—A former section of which above is an amendment was held absolutely to prohibit the employment of a child under 16 at such machinery, subs. 2 not extending to such employment.—Caseperson *v.* Michaels, 142 Ky. 314, 134 S. W. 200 (1911). An infant employed in a mine in violation of the statute can recover for injuries sustained.—Smith's Adm'r *v.* National Coal & Iron Co., 117 S. W. 280 (1909).

An employer can protect himself by procuring a decision of the county physician or city health officer, in employing a child at a dangerous occupation.—The Railroad Co. *v.* Lyons, 155 Ky. 396, 159 S. W. 971 (1913).

MANUFACTURING ESTABLISHMENTS

MINIMUM AGE AND SAFETY

Safety contrivances and guards for machinery to be furnished where children under 21 are employed; cleaning machinery in motion prohibited under 18.—It shall be the duty of the owner of any manufacturing establishment where any person under twenty-one years of age is employed, his agents, superintendents or other persons in charge of same, to furnish and supply, when practicable, or cause to be furnished and supplied to him, belt shifters or other safe mechanical contrivance for the purpose of throwing belts on or off pulleys; and, whenever practicable, machinery therein shall be provided with loose belts. All vats, pans, saws, planes, cogs, gearings, belting, set screws and machinery of every description which is palpably dangerous, shall be properly guarded and no person shall remove or make ineffective any safeguard around or attached to any such appliances or machinery, while the same is in use, unless for the purpose of immediately making repairs thereto, and all such safeguards shall be promptly replaced. No person under eighteen years of age shall be allowed to clean machinery while it is in motion. [St 1915 s 331a.10]

MESSENGERS IN CITIES

HOURS OF LABOR

Night work prohibited under 21.—In cities of the first, second or third class, no person under the age of twenty-one years shall be employed, permitted or suffered to work as a messenger for any telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before six o'clock in the morning or after nine o'clock in the evening of any day. [St 1915 s 331a.11]

INJURIOUS OCCUPATIONS.

MINIMUM AGE

Constant standing prohibited for girls under 21.—No female under twenty-one years of age shall be employed, permitted or suffered to work in any capacity in this Commonwealth, where such work compels her to remain standing constantly. [St 1915 s 331a.12]

MANUFACTURING ESTABLISHMENTS

HEALTH OF MINORS

Cleanliness of walls and ceilings where minors are employed.—The walls and ceiling of each room in every manufacturing establishment where minors are employed shall be limewashed or painted when, in the opinion of the labor inspector, it shall be conducive to the health or cleanliness of the persons working therein. [St 1915 s 331a.13]

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MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, MINES, THEATERS, ETC.

ENFORCEMENT

Act to be posted.—A copy of this act [s 331a.1–331a.17] shall be conspicuously posted and kept in each workroom of every mill, mine, workshop, theater, bowling alley, laundry or public messenger company, and manufacturing, mercantile or printing establishment in this Commonwealth. [St 1915 s 331a.14]

STREET TRADES IN CITIES

MINIMUM AGE AND BADGES

Employment of boys under 14 and girls under 18 prohibited; badges required for boys under 16 to be worn conspicuously; method of securing different kinds of badges; educational requirements; night work prohibited under 16; enforcement; penalty for employer and child.—No boy under fourteen years of age, nor girl under eighteen years of age shall be employed, permitted or suffered to work at any time in any city of the first, second or third class in or in connection with the street occupations of peddling, boot-blacking, the distribution or sale of newspapers, magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place. No boy between fourteen and sixteen years of age shall be employed, permitted or suffered to work in any city of the first, second or third class in or in connection with the street occupations of peddling, boot-blacking, the distribution or sale of magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place except upon the following conditions: (A) Boys between fourteen and sixteen years of age shall, upon application to the school authorities, as in the case of an employment certificate, and upon compliance with all of the requirements for the issuance of an employment certificate, be entitled to receive from the officer authorized to issue employment certificates a badge, which shall authorize the recipient to engage in the trades or occupations above mentioned between the hours of six o'clock a. m. and eight p. m. of each day, but at no other time. Such badge shall be displayed conspicuously by the recipient while so engaged and shall be renewed annually on the first day of January. The color of all such badges issued in the same calendar year shall be the same and said color shall be changed each year upon renewal. (B) Boys between fourteen and sixteen years of age who comply with all of the requirements for the issuance of an employment certificate except the educational requirement (that is, the filing of a school record or the passing of an examination in lieu thereof) shall be entitled to receive from the officer authorized to issue employment certificates a badge which shall authorize the recipient to engage in the above mentioned trades or occupations at such time or times between six a. m. and eight p. m. in each day as the public schools of the city or district where such boy resides are not in session, but at no other time. All such badges issued in the same calendar year shall be of the same color; but in either form, design, or color shall be so different from the badges issued to boys who comply with the educational requirements above mentioned as to be readily distinguishable therefrom. Such badges shall be renewed annually upon the first of January, and their color shall be changed each year upon renewal. Any child who shall engage in any such street occupation in violation of any of the provisions of this section shall be deemed delinquent and shall be brought before any court or magistrate having jurisdiction over juvenile delinquents, and shall be dealt with according to law. The labor inspectors, truant officers, police officers, and juvenile court probation officers shall enforce the provisions of this section. Whoever furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of this section, or who shall continue to furnish or sell articles of any description to a minor after having received written notice from any officer charged with the enforcement of this section, or from the officer issuing the badge required as aforesaid, that said minor is unlicensed to sell such article, shall be punished by a fine of not less than fifteen dollars, nor more than one hundred dollars for each offense. [St 1915 s 331a.15]

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REGULATED OCCUPATIONS

PENALTIES

Violation of act, etc.; employer, parent, etc.—Whoever employs or suffers or permits a child under sixteen years of age to work, and any parent, guardian or any adult person under whose care or control a child under such age is, who suffers or permits such child to work, in violation of any of the provisions of this act [s 331a.1–331a.17], shall be punished for the first offense by a fine of not less than fifteen dollars nor more than fifty dollars; for a second offense by a fine of not less than fifteen dollars nor more than one hundred dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; for a third or any subsequent offense by a fine of not less than two hundred dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment. Whoever continues to employ any child in violation of any of the provisions of this act after having been notified thereof in writing by a truant officer, a labor inspector or other authorized officer, shall, for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. A failure to produce to a truant officer or labor inspector any employment certificate or list required by this act shall be prima facie evidence of the illegal employment of any person whose employment certificate is not produced, or whose name is not so listed. Any corporation or employer retaining employment certificates in violation of section numbered 2 of this act shall be fined ten dollars. Every person authorized to sign the certificates prescribed by the sections of this act numbered 2, 3 and 4, who knowingly certified [sic] to any false statement therein, shall be fined not more than fifty dollars nor less than ten dollars. Any person, firm or corporation who hinders or delays any labor inspector, truant officer or any other officer charged with the enforcement of any of the provisions of this act, in the performance of his or her duties, shall be punished by a fine of not less than fifteen nor more than one hundred dollars. * * * [St 1915 s 331a.16]

Court decision.—Under a former section of which above is an amendment it was held that the liability of an employer violating the statute is not ended by the payment of a fine; and a child injured on employment in violation of the statute may sue for damages; the defenses of contributory negligence and assumed risks are not available.—The Railroad Co. *v.* Lyons, 155 Ky. 396, 159 S. W. 971 (1913).

APPLICATION OF ACT

Outstanding certificates valid; constitutionality of act.—Employment certificates issued and outstanding at the time this act [s 331a.1–331a.17] goes into effect shall continue to be valid and effective as to all employments not absolutely prohibited by this act to children between fourteen and sixteen years of age.

* * * * * * *

3. If any section of this bill shall be held to be unconstitutional in whole or in part, the fact shall not affect any other section of the act, it being the intention of the general assembly in enacting this bill to enact each section separately. [St 1915 s 331a.17]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of immoral literature, etc., by minors prohibited; penalty.—Any person or corporation who * * * in any manner hires, employs, uses or permits any minor child to do or assist in doing any act or thing mentioned in these sections [publishing or selling, etc., any book, pamphlet, newspaper, etc., devoted to criminal news or accounts of immoral, etc., deeds] is guilty of a misdemeanor, and upon conviction, shall be sentenced to not less than ten days' nor more than one year's imprisonment, or be fined not less than fifty dollars, nor more than one thousand dollars, or both fined and imprisoned for each offense. [St 1915 s 1354]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE IN CITIES

Children from 7 to 16, inclusive; exemptions from 14 to 16 if employment certificates secured; other exemptions.—Every parent, guardian or other person in any city of the first, second, third or fourth class, having the custody, control or supervision of any child, or

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children, between the ages of seven and sixteen years inclusive, shall cause such child to be enrolled in and to attend some public or private day or parochial school regularly each school year for a full term or period of said school: *Provided*, That such private or parochial school term shall not be for a shorter period during each year than the term of the public schools in the city of the child's residence: *Provided further*, That this act [s 2978c.1–2978c.10] shall not apply in any case where the child has been, or is being taught at home in such branches as are taught in the public schools for a like period of time and subject to the same examinations as other pupils of the city in which the child resides; and for the purpose of ascertaining whether or not any child is embraced within this exemption the court may order such child to submit to an examination to be given by the city superintendent of schools: *Provided further*, That this section shall not apply to any child who is excused by the board of education or school board of the city in which the parent, guardian or person having the custody, control or supervision of such child or children reside, upon it being shown to the satisfaction of the superintendent or chief executive officer of schools upon certificate of the health officer, which certificate shall be filed in the office of the superintendent of schools, that such child is not in proper physical or mental condition to attend school: *Provided further*, That the provisions of this act shall not apply to any child between fourteen and sixteen years of age for whom an employment certificate may have been issued in accordance with the provisions of the child labor law. [St 1915 s 2978c.1]

Penalty.—Any parent, guardian or other person having the custody, control or supervision of any child embraced within the provisions of this act [s 2978c.1–2978c.10], who shall fail to comply with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty-five ($25) dollars for the first offense, and for any subsequent offense, upon conviction thereof, shall be fined in any sum not exceeding one hundred ($100) dollars, or by imprisonment [sic] in the county jail for any period not exceeding fifty days, or both so fined and imprisoned, in the discretion of the court. [St 1915 s 2978c.2]

Penalty for false statements.—Any parent, guardian or other person having the custody, control or supervision of any child, embraced within this act [s 2978c.1–2978c.10], who with the intent to evade the provisions of this act, shall make a false statement concerning the age of such child or the time such child has attended school, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred ($100) dollars, or by imprisonment [sic] in the county jail for a period not exceeding fifty days, or both so fined and imprisoned in the discretion of the court. * * * [St 1915 s 2978c.3]

Enforcement: evidence of age, etc., required.—A passport, a duly attested transcript of the certificate of birth or baptism, a certified copy under oath of a record in the family Bible, or other religious record, showing the date and place of birth of such child shall be produced as proof of age. In case such certificate or record as heretofore provided can not be secured, upon proof of such fact, the record of the age stated in the first school enrollment to be found shall be considered as evidence thereof. If there be no school enrollment showing such fact, other evidence as to the age of such child may be considered. [St 1915 s 2978c.4]

Enforcement: appointment and duties of attendance officers.—In the first week of July in each year the board of education in each city of the first, second, third and fourth classes shall appoint at least one person for each ten thousand (10,000) children, enrolled in the school census, to serve as truant officers * * *. If in any such city there shall be less than ten thousand (10,000) children enrolled in the school census, there shall be appointed, as above, one truant officer. * * * In cities of the first class such truant officers shall not engage in any other occupation during such period of time as the schools are in session each year. * * * In cities of the first and second class, the board of education may appoint a chief truant officer in addition to the truant officer or officers herein provided for or may designate one of the truant officers as provided for as chief truant officer * * *. It shall be the duty of the chief truant officer, under the general direction of the superintendent of city schools to supervise, control and direct the work of all truant officers appointed in such city. Such chief truant officer shall cause to be made and fully kept, reports from all truant officers, principals, and teachers of the workings of this act [s 2978c.1–2978c.10] and shall be directly charged with the duty of seeing that the provisions of this act are complied with. [St 1915 s 2978c.6]

Enforcement: duties of attendance officers; violations to be reported.—Truant officers shall examine into any case of truancy within the city or district, and when, from personal knowledge, or by report or complaint from any resident or teacher of

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the city or district it appears that any child, subject to the provisions of this act, [s 2978c.1–2978c.10], is absent from school without lawful excuse, and in violation of the provisions of this act, or is persistently truant from school, the truant officer shall immediately give written notice to the parents, guardian or person having the custody, control or supervision of such child that the attendance of such child is required, and if such parent, guardian or person having the custody, control or supervision of such child does not comply immediately with the provisions of this act, then such truant officer shall proceed against such child as a delinquent child, and against such parents, guardian or person having the custody, control or supervision of such child for violation of this act, and for contributing to such condition of delinquency in such child. It shall be the duty of all truant officers to report all violations of the child labor law of which they have any knowledge. In cities having a chief truant officer, such reports shall be made to such chief truant officers and in cities having no chief truant officer such reports shall be made by truant officers to the superintendent of city schools. All such violations aforesaid shall be promptly reported by the superintendent of schools or chief truant officer, as the case may be, to the labor inspector. [St 1915 s 2978c.7]

Lists of all children from 7 to 16 to be furnished by truant officers.—During the month of August in each year the superintendent of public schools of cities of the first, second, third and fourth classes shall furnish or cause to be furnished by the truant officer or officers of said city to the principal of each school in their respective cities a list of all children between the ages of seven and sixteen years entitled to attend said school, in such form as may be adopted by such superintendent. Said list shall be arranged in such form as such superintendent may prescribe, shall contain the name and age of each child, the name and address of such child's parents, guardian or person having the custody, control or supervision, and such other facts as may be required by the superintendent of public instruction, or superintendent of schools of the city of the first, second, third and fourth classes. The principal of each school in cities of the first, second, third and fourth classes shall report each day, if possible, or at such times as he may be directed by the superintendent of schools during such period of time as the schools are in session each year in the respective cities, to the superintendent of public schools in the city in which such school is situated, or to a truant officer, if so directed by the superintendent, the name and address of each child who has been absent from school without lawful excuse, or who is persistently truant from school, together with the name of such child's parent or parents, guardian or persons having the custody, control or supervision of such child, and it shall be the duty of the truant officer to whom such report is made, immediately upon the receipt of same to make or cause to be made an examination into the cause of absence or truancy contained in such reports and to take any and all needful steps as provided herein under the statutes of this State, to compel such child to attend school, and in cities where a chief truant officer has been designated or appointed such officer shall file a written report once each month with the city superintendent of schools of all the work done by such chief truant officer and his assistants and in cities where no chief truant officer is designated each truant officer appointed shall file with the city superintendent of schools each month a written report of his work done in the discharge of his duties as set out herein. [St 1915 s 2978c.10]

SCHOOL CENSUS

Enumeration of children of school age in subdistricts.—* * * The trustees of each school subdistrict shall in the month of April of each year make and return to the county superintendent a complete census of the children of school age residing in his district, and for the performance of all his duties he shall be allowed and paid the sum of five cents per pupil child reported in such census. He shall make a complete census of all illiterate children of school age, with the names of their parents or guardians, with their postoffice address; also the names of all children of school age who have completed the common school course, together with their ages. He shall make a census of the names of the children who are attending school outside of the district in which they reside. This census and these reports must be made by the subdistrict trustee at the time now provided by law for taking the school census. * * * [St 1915 s 4426a.5]

Enumeration of children in cities, towns, and villages.—* * * They [the school trustees] shall take a census of such city, town or village by wards or school districts, and make a return to the county superintendent, to be filed in his office, at the same time and in the same manner as that required of district trustees. They shall file a

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duplicate of said census with the county clerk, to be retained by him in his office. For any failure, neglect or violation of their duties, as set forth in this section, the trustees or other officers of such city, town or district shall be subject to the same penalties as imposed on district trustees. [St 1915 s 4432]

Enumeration of children from 6 to 20 in districts.—It shall be the duty of the trustees of each district, annually, during the month of April, to take an exact census of all the children that reside in such district on the first day of April who will be, on the first day of July following, between the ages of six and twenty years, and on or before the first day of May report a list of the same to the county superintendent, and a duplicate list to the clerk of the county court, to be filed in his office, specifying the name, age, sex and names of parents or guardians of each child, to be entered in a book furnished him by the State, and kept as part of the records of his office. Should said trustees willfully add to the list names of persons not entitled to be placed on same, or otherwise knowingly make a false list, such person thus offending shall, in addition to being liable to punishment for the crime of false swearing, be subject to a fine of not less than fifty dollars; and should any other school officer be a party to such fraudulent lists, or [in] any way aid in the commission of such fraud, he shall be liable to the same punishment. For a failure to take such census and report the same within the time and in the manner herein required, the trustees shall be liable to a fine of not less than twenty dollars * * *. [St 1915 s 4449]

Enumeration of colored children from 6 to 20.—The number of colored children in each district, between the ages of six and twenty years, shall be taken and reported at the same time and in the same manner as required by law for taking the census of white children. * * * [St 1915 s 4523]

COMPULSORY SCHOOL ATTENDANCE IN COUNTY DISTRICTS

Children from 7 to 12, inclusive; exceptions.—Every parent, guardian or other person residing within the boundary of the county school district law, and having the custody, control or supervision of any child or children between the ages of seven and twelve years, inclusive, shall cause such child or children to be enrolled in and to attend some public or private day or parochial school regularly for the full common school or graded common school term in each year in the common school district of the county in which such child or children may live in this Commonwealth: *Provided however*, That this act [s 4521a.1–4521a.6] shall not apply in any case where the child has been or is being taught at home in such branches as are taught in the public schools for a like period of time and subject to the same examination as other pupils in the district in which such child resides; and for the purpose of ascertaining whether or not any child is embraced within this exemption the county court may order such child to submit to an examination to be given by the county superintendent of schools: *Provided further*, That this section shall not apply to any child who is excused by the county board of education, upon its being shown to the satisfaction of the county superintendent of schools that such child is not in proper physical or mental condition to attend school. [St 1915 s 4521a.1]

Penalty for false statements.—Any parent, guardian, or other person having the custody, control or supervision of any child embraced within the provisions of this act [s 4521a.1–4521a.6] who with the intent to evade the provisions of this act shall make a false statement concerning the age of such child or the time such child has attended school, shall be deemed guilty of misdemeanor, and upon conviction thereof may be fined in any sum not exceeding fifty dollars or by imprisonment [sic] in the county jail not exceeding thirty days, or both so fined and imprisoned at the discretion of the court. * * * [St 1915 s 4521 a. 2]

Penalty.—Any parent, guardian or other person failing to comply with the provisions of this act [s 4521a.1–4521a.6] shall forfeit to the use of the schools within the district in which such child lives a sum not less than five dollars nor more than twenty dollars for the first offense nor less than ten dollars nor more than fifty dollars for the second and every subsequent offense, and cost of suit. [St 1915 s 4521 a. 3]

Enforcement: duties of teachers, school trustees, etc.—It shall be the duty of the teachers to report promptly and regularly to the subdistrict trustees or other local school officers and to the county board of education through the county superintendent of schools, the names of all parents, guardians or other persons who fail to comply with the provisions of this act [s 4521a.1–4521a.6]. It shall then be the duty of said subdistrict trustee or other local school officers and said county boards of education through the county superintendent of schools to give written notice to the parents, guardians or other persons having control or custody of such child that

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the attendance of such child is required, and if such parent, guardian or other person having control or supervision of such child does not comply immediately with the provisions of this act, then said subdistrict trustees or other local school officers and said board of education shall proceed against such child as a delinquent child, and against such parents, guardians or other persons having the custody, control or supervision of such child for violation of this act for contributing to the delinquency of such child. [St 1915 s 4521a.4]

Enforcement: evidence of age required.—A passport, a duly attested transcript or the certificate of birth or baptism, a certified copy under oath of a record in the family Bible, or other religious record showing the date and place of birth of such child shall be produced as proof of age. In case such certificate or record as hereinbefore provided can not be secured, upon proof of such fact, the record of the age stated in the first [school] enrollment to be found shall be considered as evidence thereof. If there be no school enrollment showing such fact, other evidence as to the age of said child shall be considered. * * * [St 1915 s 4521a.6]

ANY GAINFUL OCCUPATION

HOURS OF LABOR FOR GIRLS

Ten hours a day, 60 a week, under 21; domestic service and nursing excepted.—No female under twenty-one years of age shall be employed or suffered or permitted to work at any gainful occupation except domestic service and nursing, more than sixty hours in any one week, nor more than ten hours in any one day. [St 1915 s 4866b.1]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Ten hours a day, 60 a week, for girls of any age.—No female of whatever age shall be employed or suffered or permitted to work in any laundry, bakery, factory, workshop, store or mercantile, manufacturing or mechanical establishment, or hotel, restaurant, telephone exchange or telegraph office, more than sixty hours in any one week nor more than ten hours in any one day. [St 1915 s 4866b.2]

ALL OCCUPATIONS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person, firm or corporation that employs females shall provide seats for their use in the room where they work and shall maintain and keep them there, and shall permit the use of such by them when not necessarily engaged in the active duties for which they are employed. In stores and mercantile establishments at least one seat shall be provided for every three females employed. If the duties of the female employees, for the use of whom the seats are furnished, are to be principally performed in front of a counter, table, desk or fixture, such seats shall be placed in front thereof. If such duties are to be principally performed behind such counter, table, desk or fixture, such seats shall be placed behind the same. The provision of seats that fold when not in use shall not be deemed a compliance with this section. [St 1915 s 4866b.3]

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; dressing room for girls if needed.—Every person, firm or corporation employing females shall provide suitable and proper wash rooms and water-closets, or privy closets where sewer connection is impossible, and shall keep such closets at all times clean and properly screened and ventilated and free from obscene writing or marking. If male persons also be employed in the same establishment such employer shall provide closets for the men in a room entirely separate from and having an entrance entirely distinct and separate from that to the room containing the women's closet. A dressing room shall be provided by the employer for the women when the nature of their work is such as to require any change in clothing. [St 1915 s 4866b.4]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Time book required where girls are employed; false records violation of act.—Every person, firm or corporation employing females in laundry, bakery, factory, workshop, store or mercantile, manufacturing or mechanical establishment, or hotel, restaurant, telephone exchange or telegraph office, shall keep a time book in which shall be correctly recorded the name of each female employee and the number of hours she is employed each day, which books shall at all times be open to the inspection of the State labor inspector and his assistants. Any such employer or agent of such employer who knowingly makes any false record in this book, and any such employer who fails to keep such book or fails to produce it upon request to the State labor inspector or his assistants for inspection shall be guilty of a violation of this act [s 4866b.1–4866b.8]. [St 1915 s 4866b.5]

Hours and copy of act to be posted.—Every person, firm or corporation employing females in laundry, bakery, factory, workshop, store or mercantile, manufacturing, or mechanical establishment, or hotel, restaurant, telephone exchange or telegraph office, shall cause to be posted and at all times keep in a conspicuous place in each workroom wherein females are employed in the establishment of such employer: (a) A plainly printed copy of this act [s 4866b.1–4866b.8], and (b) A printed notice, in a form which shall be furnished by the State labor inspector, stating the number of hours per day for each day of the work [sic] required of the females employed, and the time when such work shall begin and end. [St 1915 s 4866b.6]

REGULATED OCCUPATIONS

PENALTY

Violation of act.—Any person, firm or corporation who or which violates any of the provisions of this act [s 4866b.1–4866b.8], or suffers or permits any female to be employed in violation of the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction, unless otherwise herein expressly provided, shall be punished by a fine of not more than fifty dollars and not less than twenty-five dollars for the first offense, and for each subsequent offense by imprisonment for not more than ninety days and not less than ten days, or by a fine of not less than fifty dollars nor more than two hundred dollars, or by both fine and imprisonment. [St 1915 s 4866b.7]

APPLICATION OF ACT

Constitutionality of act.—If any section of this bill [act] [s 4866b.1–4866b.8] shall be held to be unconstitutional, in whole or in part, the fact shall not affect any other section of the act, it being the intention of the general assembly in enacting this bill [act] to enact each section separately. [St 1915 s 4866b.8]

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LOUISIANA

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INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls in saloons, etc., prohibited; penalty.—No owner, proprietor, keeper, lessee or agent, manager or conductor of any concert hall or saloon where spirituous liquors, wines or malt are sold at retail, shall employ or suffer to be employed any female to distribute or appear among the audience or frequenters of such concert hall or saloon for the purpose of distributing or selling or taking orders to be filled, any such spirituous liquors, wines or malt and any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction shall be imprisoned in the parish jail not less than thirty days nor more than three months and [suffer] a fine of not less than fifty nor more than one hundred dollars for each and every offense. [Wolff's Revised Laws 1904 volume 1 page 395; 1894 Act 43 section 1]

FACTORIES

MINIMUM AGE

Operating or cleaning machinery in motion, etc., prohibited under 12.—No child under the age of twelve years shall be permitted to operate or clean any part of the machinery in a factory while such part is in motion by the aid of steam, water or other mechanical power, or to clean any part of such machinery that is in dangerous proximity to such moving part. [W R L 1904 v 1 p 991; 1892 A 60 s 1]

Penalty.—Whoever, either for himself, or [as] superintendent, foreman, overseer or other agent of another, violates the provisions of the preceding section, shall be punished by a fine of not less than ten nor more than twenty-five dollars, or shall be subject to imprisonment for a term not exceeding thirty days, or both at the discretion of the court for each offense. [W R L 1904 v 1 p 991; 1892 A 60 s 2]

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ALL OCCUPATIONS

SEATS AND HOURS OF LABOR FOR GIRLS

Seats to be provided and their use permitted.—It shall be unlawful for any person, firm or corporation doing business in the State of Louisiana, where female labor or female clerks are employed, not to maintain seats, chairs or benches which shall be so placed as to be accessible to said employees, for their use during the times when said employees are not actually engaged in the attention to their duties as employees of such firm, person or corporation. [W R L 1904 v 1 p 992; 1900 A 55 s 1]

Thirty minutes for midday meal required in retail establishments.—All persons, firms or corporations doing business at retail in the State of Louisiana where female labor or female clerks are employed, shall be required to give every employee each day, between the hours of ten (10) a. m. and three (3) p. m. not less than thirty (30) minutes for lunch or recreation. [W R L 1904 v 1 p 992; 1900 A 55 s 2]

NOTE.—[See W R L Supplement 1904–1908 v 3 p 414; 1908 A 301 s 4]

Penalty.—Whoever shall be found guilty of evading or disobeying any of the provisions of this act [1900 A 55], shall be deemed guilty of a misdemeanor, and upon arrest and conviction therefor shall be fined in a sum of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars, and in default of the payment thereof shall be sentenced to imprisonment for a period not less than five (5) days nor more than six (6) months. [W R L 1904 v 1 p 992; 1900 A 55 s 3]

STREET RAILWAYS

HOURS OF LABOR

Ten hours a day within 12 consecutive hours.—Ten hours labor in twenty-four shall constitute a day's labor in the operation of all street railroads owned or operated by corporations incorporated under the laws of this State, whatever motive power may be used in the operation of such railroads; the said ten hours to be embraced within twelve consecutive hours. [W R L 1904 v 2 p 1505; 1902 A 122 s 1]

Misdemeanor to exact over 10 hours, etc.; exceptions.—It shall be a misdemeanor for any officer or agent of any street railroad company to exact from any of its employees more than ten hours' labor in the twenty-four, constituting a day and embraced within twelve consecutive hours: *Provided however*, That in cases of accident, unavoidable delay, or emergency extra labor may be permitted for extra compensation, with the consent of the employee. [W R L 1904 v 2 p 1505; 1902 A 122 s 2]

Penalty.—Any officer or agent of any of the said street railroads, who shall have been convicted of violating the provisions of this act, shall be fined not more than fifty dollars, or suffer imprisonment in the parish prison or jail, as the case may be, for not more than two months, or both, at the discretion of the court * * *. [W R L 1904 v 2 p 1505; 1902 A 122 s 3]

ALL REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Duties and powers of commissioner of labor, etc.—The duties of said commissioner [of labor] and said assistant commissioners shall be to visit and inspect manufacturing establishments, workshops, mills, mercantile establishments, factories and other places where industrial work is being done for the purpose of enforcing the laws regulating or dealing with the conditions of employment of labor of any kind, and to prosecute all persons, firms, associations or corporations violating the labor laws of the State. * * * [Wolff's Revised Laws Supplement 1904–1908 volume 3 page 412; 1908 Act 155 section 2 as amended by 1914 Act 186]

Duties and powers of commissioner, etc.; appointment of factory inspector in New Orleans.—The commissioner or assistant commissioners shall have power to take and preserve evidence, examine witnesses under oath and administer the same, and in the discharge of his duties may enter any public institution of the State, and at reasonable hours any factory, mill, workshop, mercantile establishment or other places where labor may be employed. In the city of New Orleans the mayor shall appoint a factory inspector who may be either male or female. The commissioner and each assistant commissioner shall have power to investigate all cases where violations of the laws pertaining to the conditions or employment of labor is complained of; and

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it is hereby made the duty of said commissioner and assistant commissioners to order the criminal prosecution in any competent court of any person, firm, association or corporation, acting in violation of any laws of this State, regulating the conditions of the employment of labor. [W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 3 as amended by 1914 A 186]

Hindering commissioner, etc.—Any person who shall willfuly impede or prevent the commissioner or assistant commissioners in the full and free performance of his or their duties shall be deemed guilty of a misdemeanor and upon conviction of the same shall be fined not less than ten (10) nor more than fifty (50) dollars or be imprisoned not less than five (5) or more than twenty-five (25) days in the parish jail, or both at the discretion of the court. [W R L Supp 1904–1908 v 3 p 412; 1908 A 155 s 5 as amended by 1914 A 186]

ALL OCCUPATIONS

MINIMUM AGE

Employment under 14 prohibited; agricultural pursuits excepted; penalty.—It shall be unlawful for a person, agent, firm, company, copartnership or corporation to require or permit, or suffer or employ any child under the age of 14 years to labor or work in any mill, factory, mine, packing house, manufacturing establishment, workshop, laundry, millinery or dressmaking stores or mercantile establishments, or hotel, or restaurants or in any theater or concert hall or in or about any place of amusement where intoxicating liquors are made or sold or in any bowling alley, boot-blacking establishment, freight or passenger elevators or in the transmission or distribution of messages, whether telegraph or telephone or any other messages, or merchandise or in any other occupation whatsoever: *Provided*, That the provisions of this act shall not affect act 176 of 1908 [W R L Supp 1904–1908 v 3 p 872]. The provisions of this act shall not apply to agricultural pursuits. Any violations of this act shall be punishable by a fine of not less than $25.00 or more than $50.00 or by imprisonment in the parish jail, (parish prison in New Orleans) for not less than 10 days or more than 6 months or both, at the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 as amended by 1914 A 133 s 2]

Court decision.—The section of which the above is an amendment was held constitutional. Held that the word "work" is comprehensive enough to cover any performance on the stage of a theater of a girl 10 years of age; the words "where intoxicating liquors are made or sold" do not qualify the word "theater."—State v. Rose, 125 La. 462, 51 So. 496 (1910).

Application of act.—Nothing in this act [1908 A 301 s 1 as amended by 1914 A 133] shall repeal any of the provisions of act 184 of 1912. [1914 A 133 s 8]

EMPLOYMENT CERTIFICATES AND RECORDS

Factory inspectors to issue age certificates; exceptions; method of issuing and contents of age certificates; evidence of age required; records of issuing office; penalties for obtaining certificates by fraud, etc.; certificates to be returned to child.—The State factory inspector or any factory inspector appointed by the mayor of the city of New Orleans with the consent of the council acting in conjunction with the board of health and school board in the parish shall have full power to issue an age certificate to minors over 14 years and under 16 years of age seeking employment in any part of this State: *Provided however*, That no person authorized to issue an age certificate as hereafter provided shall have authority to approve such certificate for any child then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employee. The person approving these age certificates shall have authority to administer the oath provided therein, but no fee shall be charged therefor. Every person issuing or approving these age certificates shall keep a record of the same, and shall forward to the office of the State factory inspector a duplicate of each certificate issued or approved. All such age certificates shall be subject to review by the State or other factory inspector, and may by him or her be canceled if he or she finds that such certificates may have been obtained through fraud, misrepresentation or falsification of facts, and whoever shall obtain or assist in obtaining such age certificates by fraud, misrepresentation or falsification of facts, is hereby declared to be guilty of a misdemeanor, and on conviction before a court of competent jurisdiction shall be fined not less than $10 or more than $50. In such cases the factory inspector shall give written notice to the employer, who shall at once cause the minor affected to be dismissed from employment. Printed forms of the age certificates hereinafter provided shall be furnished by the State factory inspector upon

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request made by persons authorized to issue them. An age certificate shall not be approved unless satisfactory evidence is furnished by a certificate of birth or baptism of such child, the register of birth of such child with an officer of a city or town designated to keep a register of births, or by the records of the public or parochial school attended by such child, that such child is of the age stated in the certificate, or by a certified copy of their passport from the commissioner of immigration: *Provided*, That in cases where the above proof is not obtainable, the parent, guardian or custodian of the child shall make an oath before the State factory inspector, or any factory inspector, or before a juvenile or district court as to the age of such child, and the State factory inspector, or any factory inspector, or the court, may issue to such child an age certificate as sworn to. A duplicate of such age certificate shall be filled out and shall be forwarded to the office of the State factory inspector. The age certificate shall be printed and shall be filled out, signed and held or surrendered in the following forms:

AGE CERTIFICATES.

This certifies that I am (father, mother, guardian or custodian) of (name of minor) and that (he or she) was born at (name of town or city) in the (name of county if known) and (State or county [sic] of .....) on the (date of birth and year of birth) and is now (number of years and months) old.

(Signature of parent, guardian or custodian.)

(City or town and date.)

There personally appeared before me the above-named (name of person signing) and made oath that the foregoing certificate by (him or her) signed, is true to the best of (his or her) knowledge. I hereby approve the foregoing certificate of (name of child), height, (feet and inches,) weight ....., complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified.

Owner of certificate. This certificate belongs to (name of child and in whose behalf it is drawn), and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same, but if not claimed by said child within thirty days from such time, it shall be returned to the office of the State factory inspector for cancellation.

(Signature of person authorized to approve and sign with official character of authority.)

(Town or city and date.)

Such certificate shall be issued without charge. * * * [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 2]

ENFORCEMENT

Duties and powers of commissioner of labor, etc.—It shall be the duty of the * * * [commissioner of labor] and his deputies, and such factory inspectors as will be appointed in incorporated cities and towns by the mayor, with the consent of the council, and in parishes, by the police jury, and they are hereby authorized and empowered to visit and inspect, at all reasonable times and as often as possible all places enumerated in section 1 [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 as amended by 1914 A 133 s 2] of this act [1908 A 301], and to file complaint in any court of competent jurisdiction to enforce the provisions of this act, and it shall be the duty of the parish or district attorney to appear and prosecute all complaints so filed. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 3]

HOURS OF LABOR

Ten hours a day, 60 a week, for boys under 18 and girls of any age; time for midday meal required; mercantile establishments exempted on Saturday nights and for 20 days before Christmas; penalty.—No child or person under the age of 18 years, and no woman shall be employed in any of the places and industries enumerated in section 1 [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 as amended by 1914 A 133 s 2] of this act [1908 A 301] for a longer period than ten hours per day of [or] 60 hours per week. There shall be one hour allowed each day for dinner, but such dinner time shall not be included as part of the working hours of the day. In case two-thirds of the employees so desire, time for dinner may be reduced at their request to not less than 30 minutes: *Provided*, That this shall not apply to persons working in stores and mercantile establishments on Saturday nights or 20 days before Christmas. Any violation of this provision shall be punishable by a fine of not less than $25 or more than $50, or by imprisonment in the parish jail (parish prison in New Orleans) for not less than

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ten days or more than six months, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 4]

NOTE.—[See W R L 1904 v 1 p 992; 1900 A 55 s 2]

Night work prohibited for boys under 16 and girls under 18; mercantile establishments exempted on Saturday nights and for 20 days before Christmas; penalty.—No boy under the age of 16 years and no girl under the age of 18 shall be employed at any work before the hour of 6 in the morning or after the hour of 7 at night: *Provided*, That this shall not apply to persons working in stores and mercantile establishments on Saturday nights or during 20 days before Christmas. Any violation of this provision shall be punishable by a fine of not less than $25 nor more than $100, or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than six months, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 5]

EMPLOYMENT CERTIFICATES AND RECORDS

Lists required under 18 where five or more children are employed; lists to be posted; age certificates required over 14 in certain occupations where more than 5 persons are employed and in theaters, concert halls, etc.; penalty.—Every person, firm or corporation, agent or manager of a corporation employing or permitting or suffering to work five or more children under the age of 18 years and over the age of 14 in all places of business or establishments or occupations enumerated in section 1 [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 as amended by 1914 A 133 s 2] shall post and keep posted in a conspicuous place in every room in which such help is employed or permitted or suffered to work a list containing the names, age and place of residence of every person under the age of 18 years employed, permitted or suffered to work in such room, and it shall be unlawful for any person, agent, firm, company, copartnership, corporation or manager of a corporation to require or permit or suffer or employ in any mill, factory, mine or packing house, manufacturing establishment, workshop, store, laundry, millinery, dressmaking or mercantile establishment in which more than five persons are employed, or any theater, concert hall or in or about any place of amusement where intoxicating liquors are made or sold, or in any bowling alley or bootblacking establishment, or in any place where messages are transmitted or distributed, or in any other occupation not herein enumerated which may be deemed unhealthful or dangerous, any child over the age of 14 until an age certificate, approved as hereinabove provided, has been produced and placed on file in any such establishment or place of employment as heretofore mentioned in this section: *Provided further however*, That immediately upon the employment of any child in any of the places enumerated in this act [1908 A 301] the manager, superintendent, owner or agent shall notify in writing, the factory inspector of the employment of said child in the event proper age certificate is not filed, but such establishment or place of employment must procure from said child within five days from employment the age certificate provided for in this act. Any violation of this section shall be punishable by a fine of not less than $25 nor more than $50 or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than six months, or both in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 6]

Penalty for false statement by parent, etc.—Any parent or guardian or person or persons having control of or being responsible for the care of any child or person under the age of 16 who shall sign or swear or in any manner make false statement as to the age of said child or person under the age of 16 for the purpose of obtaining employment for said child or young person shall be deemed guilty of an offense for each violation thereof and upon conviction for the same shall be punished by a fine of not less than $10 nor more than $25 or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 7]

Certificates of physical fitness required for children apparently under legal age.—Any child working in or in connection with any of the aforesaid establishments or in the distribution or transmission of merchandise or messages who appears to the inspector to be under the legal age is required to procure from the city or parish physician a certificate as to the physical fitness of said child to perform the work or service he or she is required to do. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 8]

Presence to be evidence of employment.—The presence of any child under 14 years of age in any of the establishments enumerated in section 1 [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 1 as amended by 1914 A 133 s 2], except during the dinner hour, shall constitute prima facie evidence of his or her employment therein. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 9]

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ENFORCEMENT AND PENALTIES

Penalty for hiding, etc., children on approach of inspector; employer or employee.—Any owner, manager, supervisor or employee in any of the aforesaid occupations who shall hide or assist to escape or give warning of the approach of the inspector to any child or young person or woman in said establishments shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than $5 nor more than $15 or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 10]

Statement of number of persons employed to be furnished inspector; penalty.—Any person, owner, agent, firm, manager, copartnership or company in charge of any establishment at the time of inspection shall be required to furnish the inspector a true statement of the number of persons employed in such establishment and any person, owner, agent, superintendent, firm, manager, company or copartnership who shall fail or refuse to furnish such statement or willfully understate the number of persons employed shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $100 for each offense or imprisonment [imprisoned] for not less than ten nor more than thirty days in the parish jail (parish prison in New Orleans) or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 11]

Inspector to be notified of occupancy of factory, etc., where children or women are employed; penalty.—Within one month after the occupancy of any factory, workshop or mill or store or other aforesaid occupation [sic] or establishment where children, young persons or women are employed the occupant shall notify the inspector in writing of such occupancy. Failure to do this shall constitute a misdemeanor and shall be punishable by a fine of not less than $10 nor more than $25 or by imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 12]

TOILETS, DRESSING ROOMS, AND SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty.—Every person who shall employ any female in any factory, mill, warehouse, manufacturing establishment, workshop or store or any other occupation or establishment hereinabove mentioned shall provide suitable seats, chairs or benches for the use of the females so employed, which shall be so placed as to be accessible to said employees and shall permit the use of such seats, chairs or benches by them when they are not necessarily engaged in the active duties for which they are employed, and there shall be provided at least one chair to every three females. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 13]

Dressing rooms and separate toilets for the sexes to be provided; penalty.—Every factory, mill, manufacturing establishment, workshop, warehouse, mercantile establishment or store and all other occupations and establishments hereinabove mentioned in which five or more young persons or women are employed and every such institution in which two or more children, young persons or women are employed shall be supplied with proper wash and dressing rooms and kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance and shall be provided, within reasonable access, with a sufficient number of proper water-closets or privies for the reasonable use of the persons employed and at least one of such closets shall be provided for each twenty-five persons employed and wherever two or more persons and one or more female person[s] are employed as aforesaid a sufficient number of separate and distinct water-closets, earth closets or privies shall be provided for the use of each sex and plainly so designated, and no person shall be allowed to use any such closet or privy assigned to persons of the other sex, and said closets or privies shall not be locked during working hours. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 14]

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FACTORIES, MILLS, AND WORKSHOPS

HEALTH OF MINORS

Cleanliness where women and children are employed; penalty.—Every factory, mill or workshop in this State where women and children are employed shall be limewashed or painted when deemed necessary and ordered by the health authorities. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than thirty days or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 16]

MINIMUM AGE

Cleaning machinery in motion prohibited for minors and women; penalty.—No minor or woman shall be required to clean any part of the mill, gearing or machinery in any such establishment in this State while the same is in motion. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans), for not less than ten days nor more than thirty days or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 17]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

SAFETY

Openings of hatchways, elevators, etc., where women and children are employed to be protected; penalty.—The opening of all hatchways, elevators and wellholes upon every floor of every manufacturing, mechanical or mercantile or public buildings [building] where women or children are employed in this State shall be protected by good and sufficient trapdoors of [or] self-closing hatches or safety catches or good strong guard rails at least three feet high. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans), for not less than ten days nor more than thirty days or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 18]

INJURIOUS OCCUPATIONS

HEALTH OF MINORS

State inspector may order mechanical means of ventilation where women and children are employed; procedure; penalty.—In all establishments in this State wherein children, young persons or women are employed where any process is carried on by which dust, or smoke or lint is generated the inspector shall have the power and authority to order that a fan, or fans, or some other dust, or smoke or lint removing or consuming contrivance or contrivances be so placed as to prevent the inhalation of such dust or smoke or lint by the employees: *Provided*, That two mechanical engineers, one chosen by the inspector and the other by the owner or owners of the establishment, shall agree as to the necessity of such fan or fans or other dust or smoke or lint removing or consuming contrivance or contrivances. Upon the failure of said two mechanical engineers to agree, a third mechanical engineer shall be chosen to arbitrate. Failure to comply with this section shall be punishable by a fine of not less than $25 nor more than $50 or imprisonment in the parish jail (parish prison in New Orleans) for not less than ten days nor more than six months or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 19]

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MANUFACTURING, MECHANICAL, AND OTHER ESTABLISHMENTS

SAFETY

Accidents to be reported where women and children are employed; penalty.—All accidents in manufacturing, mechanical or other establishments or places within this State where children, young persons or women are employed which prevent the injured person or persons from returning to work within two weeks after the injury or which result in death shall be reported semiannually by the person in charge of such establishment or place to the inspector. Failure to do this shall be deemed a violation of this section and punishable by a fine of not less than $5 nor more than $10 or imprisonment in the parish jail (parish prison in New Orleans) for not less than twenty-four hours nor more than ten days, or both, in the discretion of the court. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 20]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Office, etc., to be provided for inspector.—It shall be the duty of the city or town or parish employing an inspector or inspectors to provide a suitable office for same and pay for all necessary expenses incurred in the discharge of the duties of said office. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 21]

Annual report of inspections, etc.—There shall be an annual report of inspections made and all work and expenses in connection with said office forwarded to the commissioner of labor and [in] incorporated towns and cities to the mayor and council of the cities and towns employing said inspector or inspectors. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 22]

Appointment and duties of factory inspector in New Orleans.—The mayor of the city of New Orleans, with the consent of the council, shall appoint a factory inspector, who may be either male or female, to see that the regulations of this act [1908 A 301] are observed and also to prosecute all persons who shall violate the same. Such inspector shall be paid a salary of not more than twelve hundred dollars per annum. [W R L Supp 1904–1908 v 3 p 414; 1908 A 301 s 23 as amended by 1912 A 61]

MERCANTILE ESTABLISHMENTS

HOURS OF LABOR

One hour for midday meal required in retail establishments in certain cities.—It shall be unlawful for any proprietor or proprietors, firm or corporation doing business in this State, in cities of more than fifty thousand inhabitants, engaged in the retail business, or conducting retail department stores or retail establishments, not to allow their clerks at least one hour of the day, between the hours of 10:00 a. m. and 3:00 p. m. for their midday meal, lunch or recreation. [W R L Supp 1904–1908 v 3 p 426; 1904 A 195 s 1]

Penalty.—Any proprietor or proprietors, firm or corporation found guilty of, or [sic] evading, the provisions of this act [1904 A 195] shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars ($25) nor more than one hundred dollars, ($100), and in default of payment thereof be imprisoned not less than fifteen days (15) nor more than six months (6). [W R L Supp 1904–1908 v 3 p 426; 1904 A 195 s 2]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls and minors in saloons, etc., prohibited.—No license as a retail liquor dealer or as a retail malt and vinous liquor dealer shall be issued to any woman; and no woman or girl, or minor, shall serve in any barroom, cabaret, coffeehouse, cafe, beer saloon, liquor exchange, drinking saloon, grogshop, beerhouse or beer garden. [W R L Supp 1904–1908 v 3 p 872; 1908 A 176 s 5]

Penalty.—* * * Any person firm or corporation hereafter conducting any barroom, cabaret, coffeehouse, cafe, beer saloon, liquor exchange, drinking saloon, grog-

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shop, beerhouse or beer garden, who shall conduct such place without the permit or privilege required * * * or who shall violate any of the provisions of this act [1908 A 176] shall, be deemed guilty of a misdemeanor and upon conviction thereof, be fined in a sum of not less than $50 nor more than $500, or by imprisonment in the parish jail or parish prison for not more than two (2) years, or by both such fine and imprisonment, and shall upon a second conviction for violation of this section, or any of the provisions of this act, be permanently deprived thereafter of the privilege of conducting a barroom, cabaret, coffeehouse, cafe, beer saloon, liquor exchange, drinking saloon, grogshop, beerhouse or beer garden; and the revocation of said permit or privilege shall be declared by the court having jurisdiction to impose the penalties fixed by this act. [W R L Supp 1904–1908 v 3 p 872; 1908 A 176 s 8]

Application of act.—This act shall only apply to cities, towns, villages and parishes of the State of Louisiana where the sale of liquor is permitted, and nothing in this act shall be construed to affect, modify, amend or repeal any local option laws or to interfere with or prevent the exercise of local option on the liquor traffic, and that nothing in this act shall be construed in any way or manner as affecting, amending, modifying or repealing any existing special or local act or acts prohibiting or restricting the sale of liquor from or within any locality or localities in the State. [W R L Supp 1904–1908 v 3 p 872; 1908 A 176 s 14]

CHILD LABOR AND VAGRANCY

Persons living on earnings of their children may be declared vagrants by municipalities, etc.—The several municipal corporations and police juries of the respective parishes throughout the State are hereby authorized and empowered to adopt ordinances declaring vagrants and punishing as such * * * all persons able to work who do not work, but who live upon the wages or personal earnings of their wives or minor children. [W R L Supp 1904–1908 v 3 p 897; 1908 A 205 s 1]

Penalty.—It shall be lawful for the several municipal corporations and police juries of the respective parishes throughout the State to punish vagrancy as authorized by this act [1908 A 205] to be defined by a fine of not less than ten dollars nor more than thirty dollars, or by an imprisonment of not less than ten days nor more than thirty days in the municipal or parish jails, or both, at the discretion of the court. [W R L Supp 1904–1908 v 3 p 897; 1908 A 205 s 2]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE IN NEW ORLEANS

Children from 8 to 14, inclusive; from 14 to 16 if not regularly and lawfully employed; exceptions.—Every parent, guardian or other person, residing within the boundaries of the Parish of Orleans, having control or charge of any child or children between the ages of eight (8) and fourteen (14) years, inclusive, shall send such child or children to a public, private, denominational, or parochial day school each school year, during the time in which the public schools of the Parish of Orleans shall be in session, under such penalty for noncompliance herewith as is hereinafter provided. Said child or children may be excused from such attendance by the attendance or truant officers of the parish, upon the presentation of satisfactory evidence that the bodily or mental condition of the child or children is such as to prevent or render inadvisable attendance at school or application to study; or that such child or children are being instructed at home in the common school branches, or that the child or children have completed the prescribed elementary school course of study, or if the public school facilities within twenty city blocks of the home of the child or children are not adequate to accommodate such child or children: *Provided*, That no excuse from attendance shall be valid for more than three months except where the child has completed the elementary course, or if the public school facilities within twenty city blocks of the home of the child or children are not adequate to accommodate such child or children. Every parent, guardian, or person in the Parish of Orleans having charge or control of a child between the ages of 14 and 16 years who is not regularly and lawfully engaged for at least six hours each day in some useful employment or service, shall cause said child to attend regularly some day school according to the provisions of this section. [1910 A 222 s 1 as amended by 1912 A 232]

Penalty for principal, teacher, parent, etc.—Any principal, teacher, parent or guardian, or other persons having control or charge of such child or children, who shall fail to comply with the provisions of this act, shall be deemed guilty of a mis-

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demeanor, and upon conviction shall be liable, for the first offense to a fine of not more than five ($5.00) dollars, and for each subsequent offense to a fine of not more than ten dollars, and in default of payment of such fines, to imprisonment in the parish prison for a period not exceeding five days. * * * [1910 A 222 s 3]

Enforcement: duties of attendance or truant officers.—The attendance or truant officers of the parish shall on complaint of any person, make a full and impartial investigation of all charges against parents or guardians or other persons having control of any child or children for violation of any of the provisions of this act. If it shall appear, upon such investigation, and after the three days notice hereinafter provided shall have been given that any parent, guardian, or other person has violated any of the provisions of this act, it is hereby made the duty of said attendance or truant officers to make and file, in the proper court, a complaint in legal form against such parent, guardian, or other person, charging such violation, and to assist in the prosecution of such charges by the proper authorities. [1910 A 222 s 5]

Enforcement: appointment of attendance or truant officers.—The board of directors of the Parish of Orleans shall appoint, with the power to remove at pleasure, one or more male attendance or truant officers, and shall fix their compensation, payable from the school fund of said parish and shall prescribe their duties, not inconsistent with law, and make rules and regulations for the performance thereof. [1910 A 222 s 6]

NOTE.—[Section 71, act 214 of the Acts of 1912, which repealed "all laws or parts of laws in conflict," authorizes the board of directors of the public schools of the Parish of Orleans to "select an attendance officer, and employ such other officers, clerks and assistants as may be necessary to properly conduct the public schools of the parish."]

Enforcement: duties and powers of attendance or truant officers.—To aid in the enforcement of this act, the attendance or truant officers, shall in addition to the other duties provided elsewhere in this act, have full police power, the authority to serve warrants and to enter factories, workshops, stores and other places where children may be employed, and do whatever may be found necessary, for investigation and in the enforcement of this act. It shall be the duty of the attendance or truant officers to see that the provisions of this act are complied with, and when from personal knowledge, or report to them, or complaint from any resident or teacher of the parish under his supervision, he has reason to believe that any child, subject to the provisions of this act, is habitually absent from school, he shall immediately give written notice to the parent or guardian or other person having control of such children, that the attendance of such child is required at school and if within three (3) days such parent or guardian or other person having control or charge of such child does not comply with the provisions of this act and enter said child in a school, said truant officer shall make complaint against such parent, guardian, or other person having control of such child or children in the proper court, charging such violation, and shall assist in the prosecution of such parent or guardian or [sic] by the proper authorities, and in the event of such parent, guardian or other person being found guilty by the court, shall be punished [sic] as hereinabove provided. [1910 A 222 s 7]

SCHOOL CENSUS IN NEW ORLEANS

Enumeration of children from 6 to 18.—It shall be the duty of the assessors and the board of assessors of the Parish of Orleans to make a correct enumeration by giving the name of the educable children, between the ages of six and eighteen years in the respective parishes and wards by race and sex. This list of educable children shall be made in triplicate form and written in ink. One list shall be furnished to the auditor of public accounts, one list to the State board of education, and one list to the board of school directors of the parish in which the enumeration is made. The said assessors of the parishes shall also make a separate correct enumeration of the blind and deaf and dumb children between the ages of six and eighteen years in their respective parishes by wards, giving the name, race and sex of said children, and shall furnish to the State board of education one separate list of said blind children and one separate list of said deaf and dumb children. It shall be the duty of the assessors and the board of assessors of the Parish of Orleans to swear to the correctness of said lists before a competent officer, who shall attach a certificate thereof on each list before filing them. [W R L Supp 1904–1908 s 3 p 230; 1908 A 48 s 1]

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MINES, ETC.

ENFORCEMENT AND PENALTY

Duties of supervisor of minerals.—The supervisor of minerals shall make inspection, either in person or through the deputy supervisor, of all mining operations carried on in this State, particularly that of the production of natural gas and oil, so far as practicable, and shall see that * * * all the provisions of law pertaining to mining now in force, or hereafter enacted * * * are faithfully carried out, and that the penalties of law are strictly enforced against any person or persons who violates the same. * * * [1910 A 254 s 2]

Penalty for refusal to allow inspections; other duties of supervisor of minerals.—* * * Any person or persons in this State owning mines or carrying on mining operations, or who contracts the same, who refuses to allow the same to be inspected by the supervisor of minerals, upon conviction shall be fined in a sum not exceeding five hundred dollars ($500.00): *Provided further*, That whenever any responsible person shall file with the supervisor of minerals an affidavit charging the owner or owners, or operators of such mines, or gas and oil wells, or their employees with the violation of any of the laws regulating mining, or the production of natural oil and gas, and particularly specifying the violation complained of, it shall be the duty of the supervisor to examine and inquire into the alleged violation of the law, as set forth in the affidavit, and if he finds the facts as charged it shall be his duty to see that the law is complied with. * * * [1910 A 254 s 4]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 17 in billiard or pool rooms prohibited.—It shall be unlawful for any person, whether as proprietor, agent, manager, employee, lessee or otherwise, conducting or carrying on any place where pool or billiard games of any sort are operated, for pay or otherwise, to allow or permit minors under the age of seventeen years within such places, or to be employed therein * * *. [1912 A 25 s 1]

Penalty.—Whoever shall violate any of the provisions of this act shall be regarded as contributing to the neglect and delinquency of children and shall be guilty of a misdemeanor, and upon conviction for violation of any of the provisions of this act shall be fined not less than twenty-five dollars nor more than one hundred dollars, or shall be sentenced to be confined in the parish jail or prison for not more than three months, or may be both fined and imprisoned as above set forth, in the discretion of the court. [1912 A 25 s 2]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment under 16 in rope walking, acrobatic performances, singing, dancing, theatrical exhibitions, etc., prohibited; penalty; exceptions; permits may be issued by juvenile court exempting children from provisions relating to public exhibitions, etc.; conditions, methods of issuing, and contents of permits.—A person who employs or causes to be employed, or who exhibits, uses, or has in custody, or trains for the purpose of exhibition, use or employment of, any child actually or apparently under the age of sixteen years, or who has the care, custody or control of such a child as parent, relative, guardian, employer or otherwise, sells, lets out, gives away, so trains, or in any way procures or consents to the employment, or to such training or use, or exhibition of such child; or who neglects or refuses to restrain such child from such training or from engaging or acting: 1. As a rope or wire walker, gymnast, wrestler, contortionist, rider or acrobat, or upon any bicycle or similar mechanical vehicle or contrivance; or 2. In singing; or dancing; or playing upon a musical instrument; or in a theatrical exhibition; or in any wandering occupation; or, 3. In any illegal, indecent or immoral exhibition or practice; or in the exhibition of any such child when insane, idiotic, or when presenting the appearance of any deformity or unnatural physical formation or development; or, 4. In any practice or exhibition or place dangerous or injurious to the life, limbs, health or morals of the child; shall be regarded as contributing to the neglect

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and delinquency of children and guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than twenty-five dollars nor more than two hundred and fifty dollars, or shall be imprisoned in the parish jail or parish prison for not more than two years, or by [sic] both such fine and imprisonment: *And provided further*, That any person, firm or corporation licensed as or holding a license for any theater within this State, who shall be convicted hereunder, shall, upon such conviction forfeit such license. But this act does not apply, nor shall any act prior thereto apply, to the employment of any child as a singer or musician in a church, school of [or] academy, or in teaching or learning the science or practice of music, or in a theatrical exhibition, or as a musician in any concert, where a permit therefor has first been secured from a judge of a juvenile court, or a district court acting as a juvenile court. In the case of a nonresident child no permit shall be granted unless such child be accompanied by a parent or a guardian or a custodian duly designated in writing, attested by a notary public by said child's parents or guardian; nor shall said permit be granted unless it be shown to the satisfaction of the court that said child is receiving and during the period of said permit will receive proper instruction and teaching in common school studies. The court granting such permit shall have the power to exact from the employer of the child, as a condition precedent to the granting of such permit, under such stipulations and conditions as may be determined by the judge of such court, a bond in a sum not exceeding two thousand dollars, to be executed in favor of the State of Louisiana, and conditioned to secure and guarantee the proper tuition as well as the moral and physical health of such child while in such employment. Such bond may be forfeited by showing a breach thereof in the State of Louisiana or elsewhere, and in such proceedings testimony may be taken as provided by law in civil cases in the civil courts of this State. Such permit shall not be given unless previous [sic] twenty-four hours' previous notice of the application therefor shall have been served in writing upon the society for the prevention of cruelty to children, if there be one in the parish, and a hearing had thereof, if requested, and such permit shall be revocable at the will and discretion of the authority granting it. The permit shall specify the name of the child, its age, the names and residence of its parents, or guardians, and its employers; the nature, time, duration, and number of performances permitted, together with the place and character of the exhibition. But no such permit shall be deemed to authorize any violation of the first, third or fourth subdivisions enumerated above. [1912 A 184 s 1]

NOTE.—[Act 59 of 1892, prohibiting the employment of children under 15 in rope-walking, acrobatic performances, etc., appears to be superseded by this act, which raises the age limit for such employment to 16 years. The act of 1892 also provides that no license shall be granted for a theatrical exhibition or public show in which children under 15 are employed as contortionists, acrobats, etc., "or where in the opinion of the mayor of a city or town authorized to grant licenses, such children are employed in such a manner as to corrupt their morals or impair their physical health."]

MANUFACTURING ESTABLISHMENTS, WORKSHOPS, ETC.

HOURS OF LABOR

Eight hours a day for stationary firemen in establishments running day and night; exceptions.—No factory, manufacturing establishment, office building, warehouse, workshop, or any business establishment keeping open or running day and night, shall permit except in cases of emergency, or compel the stationary firemen therein employed to work consecutively in any one day, more than eight hours; a full day's labor shall be composed of eight hours and no more: *Provided*, That the provisions of this act shall not apply to stationary firemen or assistants employed in the petroleum industry, in any cotton gin, or any sugar plantation, or in the sawmill industry. [1912 A 245 s 1]

Refusal to work more than eight hours not lawful cause for discharge.—The refusal by a stationary fireman, to work in such establishments, for more than eight consecutive hours, for each day's work, shall not be a lawful cause for discharging such fireman. [1912 A 245 s 2]

Penalty.—Any person, or corporation who shall violate any of the provisions of this act, shall be deemed to be guilty of a misdemeanor for each violation thereof, and, upon conviction for the same such person, or the president of such corporation shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and by imprisonment in the parish jail or parish prison, for not more than fifteen days. [1912 A 245 s 3]

Enforcement: duties of police, etc.—In all cities and parishes, it shall be the duty of the inspector of police, superintendent of police, or the chief officer of police, by suit-

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able inspections to see that the regulations of this act are observed, and to prosecute all persons, or corporations through their presidents who shall violate the same. Such inspector, superintendent, or chief officer of police, shall detail such portion of the force under him as he shall deem necessary for the inspection, from time to time of all the aforesaid places where stationary firemen may be employed. In towns, and parishes the mayor thereof shall perform the duties above imposed on the inspector, superintendent or chief of police in cities. [1912 A 245 s 4]

Definition.—The term "stationary fireman," wherever used in this act shall be deemed to mean, and apply to any person employed in the generation of steam in stationary boilers, and in attending to the water supply for such boilers. [1912 A 245 s 5]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE OUTSIDE OF NEW ORLEANS

Children from 8 to 14 in certain cities; exceptions.—Parents having minor children between the age of eight and fourteen years and tutors and guardians, or other persons having the care of the person of minors between the age of eight and fourteen years, in cities of over twenty-five thousand inhabitants, the Parish of Orleans excepted, are required to send such minors to the public schools, or other schools continuously for at least four months each year: *Provided*, That separate public schools for the races are opened to receive such minors for that time in each year, otherwise it shall be sufficient that said minors attend school as long as the public school term: *And provided further*, That the provisions of this act shall not apply to minors physically, or mentally unable or unfit to attend school, or where a minor is the sole dependence of infirm persons or a mother or sisters in necessitous circumstances, the same to appear from a certificate signed by the superintendent of public schools of the place where such minor resides. [1914 A 91 s 1]

Penalty.—Any parent, tutor or guardian or other person having the control of the person of such minors, in such cities of over twenty-five thousand inhabitants, violating section one, of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in a sum of not less than ten dollars, nor more than one hundred dollars, and in default of payment of which shall be imprisoned not less than ten or more than sixty days and in the case of tutors or guardians, such violation shall be deemed sufficient cause for their removal. [1914 A 91 s 2]

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EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS IN TOWNS

Enumeration of children from 5 to 21; duties of superintendent of schools.—The superintendent of schools in every town shall be, ex-officio, secretary of the superintending school committee.

* * * * * * *

V. He shall return under oath to the school committee, in April annually, a certified list of the names and ages of all persons in his town from five to twenty-one years, corrected to the first day of said month, leaving out of said enumeration all persons coming from other places to attend any college or academy, or to labor in any factory, or at any manufacturing or other business. [Revised Statutes 1903 Chapter 15 section 36 as amended by 1905 Chapter 48 and 1913 Chapter 112]

Reports of enumeration to be sent to State superintendent.—He shall annually make returns to the State superintendent of public schools, of the number of persons between the ages of five and twenty-one years, together with a certified list of the names and ages of such persons, corrected to the first day of April preceding the time of making such returns, and give full and complete answers to the inquiries contained in the blank forms furnished him by law; certify that such statement is true and correct, according to his best knowledge and belief; and transmit it to the office of the State superintendent on or before the first day of each May. He shall also furnish such other information relating to the public schools as the said superintendent shall at any time require of him. When the State superintendent of schools on examination of the census returns of any town is of the opinion that the census has been inaccurately taken he shall make statement thereof to the governor and council who may require the census of such town to be retaken and returned and, if they think necessary, they may for this purpose appoint persons to perform this service and such persons so appointed shall take the same oath, perform the same service and receive the same compensation out of the same funds as the person or persons who took the school census in the first instance; and the school fund distributable in proportion to enumeration of scholars shall be distributed on the corrected returns. [R S 1903 C 15 s 37 as amended by 1911 C 121]

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 15; illiterate children from 15 to 17; exceptions; penalty.—Every child between the seventh and fifteenth anniversaries of his birth and every child between the fifteenth and seventeenth anniversaries who can not read at sight and write legibly simple sentences in the English language shall attend some public day school during the time such school is in session, and an absence therefrom of one-half day or more shall be deemed a violation of this requirement: *Provided*, That necessary absence may be excused by the superintending school committee or superintendent of schools or teachers acting by the direction of either: *Provided also*, That such attendance

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shall not be required if the child obtained an equivalent instruction, for a like period of time, in an approved private school or in any other manner approved by the superintending school committee: *Provided further*, That children shall not be credited with attendance at a private school until a certificate showing their names, residence and attendance at such school signed by the person or persons having such school in charge, shall be filed with the school official of the town in which said children reside: *And provided further*, That the superintending school committee may exclude from the public schools any child whose physical or mental condition makes it inexpedient for him to attend. All persons having children under their control shall cause them to attend school as provided in this section, and for every neglect of such duty shall be punished by a fine not exceeding twenty-five dollars or shall be imprisoned not exceeding thirty days. [R S 1903 C 15 s 49 as amended by 1909 C 57]

Enforcement: appointment, duties, and powers of truant officers.—The superintending school committee of every city and town shall annually elect one or more persons, to be designated truant officers, who shall inquire into all cases of neglect of the duties prescribed in section forty-nine [R S 1903 C 15 s 49 as amended by 1909 C 57] and ascertain the reasons therefor and shall promptly report the same to said superintending school committee, and such truant officers or any of them shall, when so directed by the school committee or superintendent in writing, prosecute in the name of the State any person neglecting to perform the duties prescribed in said section, by promptly entering a complaint before a magistrate; and said officer shall, when notified by any teacher that any pupil in [is] irregular in attendance, arrest and take such pupil to school when found truant * * *. Truant officers, when so directed in writing by the superintendent of schools or the superintending school committee of their respective towns may visit the manufacturing, mechanical, mercantile and other business establishments in their several cities and towns during the hours in which the public schools of such city or town are in session, and ascertain whether any minors under the age of fifteen years are employed therein, and shall report in writing any cases of such employment to the superintendent of schools or the superintending school committee of their city or town and if employed therein contrary to the provisions of chapter forty [R S 1903 C 40],[1] shall also report in writing such illegal employment to the commissioner of labor. The owner, superintendent, overseer or agent of all manufacturing, mechanical, mercantile or other business establishments, upon request shall produce for the inspection of such truant officers all certified copies of records of birth and baptism, passports and age and schooling certificates required to be kept on file in such establishments under chapter forty of the Revised Statutes. * * * [R S 1903 C 15 s 51 as amended by 1913 C 79]

Penalty; any person responsible for truancy.—Any person having control of a child, who is an habitual truant, as defined in the foregoing section,[2] and being in any way responsible for such truancy, and any person who induces a child to absent himself from school, or harbors or conceals such child when he is absent, shall be punished by a fine not exceeding twenty dollars or shall be imprisoned not exceeding thirty days. [R S 1903 C 15 s 53 as amended by 1905 C 48]

SCHOOL CENSUS IN UNORGANIZED TOWNSHIPS

Enforcement: appointment, duties, and powers of agents.—The State superintendent of public schools may appoint agents for the several townships in which schools shall be established under section ninety-four, who shall, under the direction of the State superintendent, enumerate the pupils * * *. Said agents may act as truant officers in their several townships, and may in their discretion compel the regular daily attendance at school of every child in their townships between the seventh and seventeenth anniversaries of his birth by arresting and taking to school any child when absent therefrom, and any parent or guardian of any such child or children, willfully refusing to allow said children under his control to attend school, or opposing said agent in arresting and taking said children to school, may be prosecuted by said agent in the name of the State before the nearest trial justice, and if found guilty shall forfeit a sum not exceeding twenty dollars for the use of the schools in the township wherein said children are resident, or shall be imprisoned for not exceeding thirty days. * * * [R S 1903 C 15 s 96 as amended by 1909 C 87]

[1] Chapter 40 of the Revised Statutes 1903 has been superseded by chapter 327 of the Acts of 1915.

[2] Section 52 of chapter 15 of the Revised Statutes of 1903, as amended by chapter 1 of the Acts of 1913 defines an habitual truant as a child who, "without sufficient excuse, shall be habitually absent from school or shall fail without such excuse to attend school for five day sessions or for ten half-day sessions within the period of six months."

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MANUFACTURING AND MECHANICAL ESTABLISHMENTS

HOURS OF LABOR

NOTE.—[Section 48 of chapter 40 of the Revised Statutes, 1903, as amended by chapter 55 of the Acts of 1911, section 49, as amended by chapter 143 of the Acts of 1911, and section 50 of the same chapter are inconsistent with chapter 350 of the Acts of 1915, and would be superseded by the 1915 law, but the latter act is now suspended in accordance with the constitution by reason of the referendum, its acceptance or rejection to be determined by a vote of the people.[1]]

Ten hours a day, 58 a week, for boys under 16 and girls under 18; 64 hours a week for girls of any age under certain conditions; work on perishable materials excepted.—No female minor under eighteen years of age, no male minor under sixteen years of age, and no woman shall be employed in laboring in any manufacturing or mechanical establishment in the State, more than ten hours in any one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed fifty-eight in a week; and no male person sixteen years of age and over shall be so employed as above, more than ten hours a day during minority, unless he voluntarily contracts to do so with the consent of his parents, or one of them, if any, or guardian, and in such case he shall receive extra compensation for his services: *Provided however*, That any female of eighteen years of age or over, may lawfully contract for such labor for any number of hours in excess of ten hours a day, not exceeding six hours in any one week or sixty hours in any one year, receiving additional compensation therefor; but during her minority, the consent of her parents, or one of them, or guardian, shall be first obtained. Nothing in this section shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage thereto. [R S 1903 C 40 s 48 as amended by 1911 C 55]

Hours to be posted.—Every employer shall post in a conspicuous place in every room where such persons are employed, a notice printed in plain, large type, stating the number of hours' work required of them on each day of the week, the exact time for commencing work in the morning, stopping at noon for dinner, commencing after dinner, and stopping at night; the form of such printed notice shall be furnished by the commissioner of labor, and shall be approved by the attorney-general. And the employment of any such person for a longer time in any day than that so stated, shall be deemed a violation of the preceding section, unless it appears that such employment is to make up for time lost on some previous day of the same week, in consequence of the stopping of machinery upon which such person was employed or dependent for employment. [R S 1903 C 40 s 49 as amended by 1911 C 143]

Penalty; employer, parent, etc.; certificate to be evidence of age; penalty for false certificate.—Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any person in violation of the provisions of section forty-eight [R S 1903 C 40 s 48 as amended by 1911 C 55], and every parent or guardian who permits any minor to be so employed, shall be punished by a fine of not less than twenty-five, nor more than fifty dollars for each offense. A certificate of the age of a minor made by him and by his parent or guardian at the time of his employment, shall be conclusive evidence of his age in behalf of the hirer, upon any prosecution for a violation of the provisions of section forty-eight. Whoever falsely makes and utters such a certificate with an intention to evade the provisions of this chapter relating to the employment of minors, shall be subject to a fine of one hundred dollars. [R S 1903 C 40 s 50]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of immoral literature, etc., by minors prohibited; penalty.—Whoever * * * in any manner hires, uses or employs any minor to sell or give away, or in any manner to distribute, or who, having the care, custody or control of any minor, permits such minor to sell or give away, or in any manner to distribute any book, magazine, pamphlet or newspaper coming within the first paragraph of this section [devoted to the publication or principally made up of criminal news, police reports

[1] On Oct. 1, 1915, no vote had been taken.

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or accounts of criminal deeds, or pictures and stories of lust or crime] shall be punished by imprisonment in the county jail not more than six months, or by fine of not less than twenty-five, nor more than one hundred dollars, or by both imprisonment and fine. [R S 1903 C 125 s 15]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment and powers of agents for the protection of children.—Upon application by the mayor and alderman of any city, the selectmen of any town or the county commissioners of any county to the governor and council recommending any person as an "agent for the protection of children," the governor shall cause the qualifications and experience of said person to be investigated by the State board of charities and corrections, and report thereon to be made to the governor and if from such report it shall appear that the person so recommended possess the necessary qualifications and experience for the office, the governor and council shall issue a badge and a commission to the person designated in said application, appointing such person an "agent for the protection of children," to serve within and for the county for which he or she shall be appointed and within which he or she shall reside, authorizing such agent to arrest persons charged with violating any of the provisions of this act or any other act or law concerning the protection of children, or prevention of cruelty to the same, and to serve any process, civil or criminal, provided for by the terms of said acts or required for the enforcement of the same, in the same manner and with the same powers in the premises as any sheriff, deputy sheriff, police officer or constable, and to perform such other duties as may be provided for by this act. * * * [1905 C 123 s 1 as amended by 1915 C 320 s 1]

Duties of agents, sheriffs, police officers, etc.—Any agent for the protection of children appointed as aforesaid and all sheriffs, deputy sheriffs, police officers and constables shall investigate all cases of cruel or injurious treatment of children coming to their knowledge, and shall cause offenders against any provisions of this act or any other act concerning the protection of children or prevention of cruelty to the same to be prosecuted. Said agents shall be ex-officio agents of the State board of charities and corrections, and the said board shall advise and instruct said agents in the performance of their duties, and the said agents shall file with the said board such reports of cases investigated and children taken into custody by or through their efforts as said board may require. * * * [1905 C 123 s 2 as amended by 1915 C 320 s 4]

INTOXICATING LIQUORS

MINIMUM AGE

Employment in keeping or selling intoxicating liquors prohibited under 16; penalty.—* * * Whoever by himself, his clerk, servant or agent, directly or indirectly employs or permits any such child [under 16] to aid or assist him in the illegal keeping or the illegal sale of intoxicating liquors, shall be punished in addition to the penalties otherwise provided against the illegal keeping for sale or illegal sale of intoxicating liquors, by fine not less than one hundred dollars or by imprisonment not less than sixty days. [1905 C 123 s 8]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 prohibited; penalty.—No person shall employ or cause to be employed, exhibit, use or have in custody, or train for use, employment or exhibition, any child under sixteen years of age, and no parent, guardian or other person, having care, custody and control of such child, shall procure or permit the training, use, employment or exhibition of any such child, in begging or soliciting or receiving alms in any manner or under any pretense, or in any illegal, indecent or immoral exhibition or practice, or in any exhibition of any such child when insane or idiotic, or when possessing any deformity and unnatural physical formation, or in any practice, exhibition or place dangerous or injurious to the life, limb, health or morals of such child. Whoever offends against the provisions of this section shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding sixty days. [1905 C 123 s 9]

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ELEVATORS

MINIMUM AGE

Employment under 15 on any elevator or under 18 on elevator running at specified speed prohibited.—No person, firm or corporation shall employ or permit any person under fifteen years of age to have the care, custody, management or operation of any elevator, or shall employ a person under eighteen years of age to have the care, custody, management or operation of any elevator running at a speed of over two hundred feet a minute. [1907 C 4 s 1]

Penalty.—Whoever violates the provisions of this act shall be punished by a fine not exceeding one hundred dollars and not less than twenty-five dollars for each offense. [1907 C 4 s 2]

MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—The proprietor, manager or person having charge of any mercantile establishment, store, shop, hotel, restaurant or other place where women or girls are employed as clerks or help therein in this State shall provide chairs, stools or other contrivances for the comfortable use of such female employees for the preservation of their health and for rest when not actively employed in the discharge of their respective duties. [1911 C 26 s 1]

Penalty.—Any proprietor, manager or other person violating the preceding section of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than ten dollars nor more than one hundred dollars. [1911 C 26 s 2]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of the commissioner of labor.—* * * It shall also be the duty of the commissioner of labor to cause to be enforced all laws regulating the employment of children, minors and women; all laws established for the protection of health, lives and limbs of operators in workshops and factories, on railroads and other places; all laws regulating the payment of wages, and all laws enacted for the protection of the working classes now in force or that may hereafter be enacted. * * * [1911 C 65 s 2]

FACTORIES, WORKSHOPS, ETC.

ENFORCEMENT

Powers of commissioner and agents of department of labor; penalty for hindering inspectors.—The commissioner as State factory inspector and any authorized agent of the labor department shall have power to enter any factory or mill, workshop, private works or State institutions which have shops or factories, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places, and to make a record thereof of such inspection. And if any person, or persons, shall refuse to admit or shall unreasonably delay the commissioner, or any authorized agent of the labor department, in so entering, or shall refuse to give the information so desired by said commissioner or authorized agent, then said person or persons, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine not to exceed one hundred dollars, or by imprisonment for not more than ninety days, or both such fine and imprisonment in the discretion of the court. * * * [1911 C 65 s 4 as amended by 1915 C 348 s 1]

Definitions.—The following expressions used in this act shall have the following meanings: The expression "person" means an individual, corporation, partnership, company or association. The expression "factory" means any premises where steam, water or other mechanical power is used in aid of any manufacturing process there carried on. The expression "workshop" means any premises, room or place, not being a factory as above defined, wherein any manual labor is exercised by way of trade, or for the purpose of gain in or incidental to any process of making, altering,

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repairing, ornamenting, finishing or adapting for sale any article or part, of an article, and to which or over which premises, room or place the employer of the person or persons working therein has the right of access or control: *Provided however*, That the exercise of such manual labor in a private house, or a private room by the family dwelling therein, or by any of them, or in case a majority of persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition. The aforesaid expressions shall have the meanings above defined for them respectively in all laws of this State relating to the employment of labor, unless a different meaning is plainly required by the context. [1911 C 65 s 5]

Woman inspector to be employed.—In addition to the deputy commissioner provided for by * * * this act, the commissioner * * * shall also employ a woman factory inspector, and he may also employ special agents and such other assistants, as may be necessary in the discharge of the official duties of said department of labor * * *. [1911 C 65 s 7 as amended by 1915 C 348 s 2]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of commissioner of industrial and labor statistics and inspector of factories, etc., transferred to commissioner of labor and industry and State factory inspector.—All authority heretofore vested in the commissioner of the bureau of industrial and labor statistics as such, and the inspector of factories, workshops, mines and quarries as such, are hereby vested in the commissioner of labor and industry and State factory inspector * * *. [1911 C 65 s 11]

ILLEGAL AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places or to accept applications of children in violation of law.—No such licensed person [licensed to conduct employment agency] shall send, or cause to be sent, any female help or servants, or inmate or performer, to enter any questionable place or place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution, vice, or gambling house, the character of which such licensed person knows, either actually or by reputation. No such licensed person shall permit questionable characters, prostitutes, gamblers, intoxicated persons, or procurers to frequent such agency knowingly. No such licensed person shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of law. [1911 C 87 s 5]

Enforcement: duties of municipal officers, etc.; penalty.—The enforcement of this act shall be intrusted to the municipal officers during their term of office and until the qualification of their successor or successors. Complaints of the violation of any of the provisions of this act shall be made orally or in writing to said municipal officers and reasonable notice thereof, not less than one day, shall be given in writing to such licensed person by serving upon him concise statements of the facts constituting the complaint, and the hearing shall be had before said municipal officers at such time and place as they may designate, within one week from the date of the service of such complaint upon such licensed person, and no adjournment shall be taken for a period of longer than one week. Reasonable notice of the time and place of hearing shall be given in writing to such licensed person complained against. The result of any such hearing shall be rendered within one week from the date of hearing. The municipal officers may refuse to issue and may revoke any license for any good cause shown within the meaning and purpose of this act, and when it is shown to the satisfaction of a majority of said municipal officers that any person is guilty of any immoral, fraudulent or illegal act or conduct in connection with the conducting of said business, it shall be the duty of said municipal officers to revoke the license of such person, but notice of such charges shall be presented in writing signed by the party making the same and reasonable opportunity shall be given such licensed person to defend himself in the manner and form heretofore provided in this section of this act. Whenever said municipal officers shall refuse to issue or shall revoke any license of any employment agency, said decision shall be final. Whenever for any cause such license shall be revoked, said revocation shall take effect at once

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after said revocation is announced, and such revocation shall be considered good cause for refusing to issue another license to said person or his representative, or to any person with whom he is to be associated in the business of furnishing employment or help. The violation of any of the provisions of this act except as is otherwise provided shall be punishable by a fine not exceeding twenty-five dollars with costs of prosecution, and any city magistrate, judge of a municipal court, trial justice or any inferior magistrate having original jurisdiction in criminal cases, shall have power to impose said fine and costs, and in default of payment to commit to the county jail or house of correction the person so offending for a period not exceeding thirty days. Any one of the municipal officers may institute criminal proceedings to enforce the provisions of this act before any court of competent jurisdiction. [1911 C 87 s 6]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS

MINIMUM AGE

Employment under 14 prohibited in these occupations and in any gainful occupation during school hours.—No child under fourteen years of age shall be employed, permitted or suffered to work in, about, or in connection with any manufacturing or mechanical establishment. No child under fourteen years of age shall be employed, permitted or suffered to work at any business or service for hire, whatever during the hours that the public schools of the town or city in which he resides are in session. [1915 C 327 s 1]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16; school authorities to issue certificates; exceptions; general certificates; age and school records required; vacation certificates; age record required; blank certificates; certificates, etc., to be sent to department of labor and industry; records of issuing office; revocation of certificates; certificate to be returned to child; employer to notify commissioner of labor of termination of employment.—No minor between the ages of fourteen and sixteen years shall be employed, permitted or suffered to work in any of the aforementioned occupations unless the person, firm or corporation employing such child procures and keeps on file accessible to any truant officer, factory inspector or other authorized officer charged with the enforcement of this act, a work permit issued to said child by the superintendent of schools of the city or town in which the child resides, or by some person authorized by him in writing. The person authorized to issue a work permit shall not issue such permit until such child has demonstrated his ability to read at sight and write simple sentences in the English language and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the State, or has furnished a certificate to that effect signed by any teacher in any of the public schools of the city or town in which such child resides, or by the principal of any approved private school; nor until he has received, examined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upwards which shall consist of a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth and place of baptism, or a passport showing the birth. The superintendent of schools, or the person authorized to issue such work permit may require, in doubtful cases, a certificate signed by a physician appointed by the school board, or, in case there is no school physician, from the medical officer of the board of health, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which he intends to do. The State factory inspector, his deputy or agent, may require a similar certificate in doubtful cases, of the minors employed under a work permit. A work permit when duly issued shall excuse such child from attendance at public school; but no person shall issue such permit to any minor then in or about to enter his employment or the employment of the firm or corporation of which he is a member, stockholder, officer or employee. Vacation permits shall be issued by the local superintendent of schools, or by some person authorized by him in writing, to minors between fourteen and sixteen years of age, on satisfaction of the same requirements, with the exception of the educational qualifications, as for the regular work permits, and shall entitle their holders to work during the summer school vacation. These permits shall be void after the first Monday of September following.

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They shall be known as vacation permits, shall be of different color from the work permits and shall state plainly the date after which they are void. The blank work permit and other papers required in this section shall be formulated by the commissioner of labor, and furnished by him to the persons authorized to issue work permits. Said forms shall be approved by the attorney general. Every work permit and every vacation permit shall be made out in duplicate. All duplicates, accompanied by the original papers on which such permits were issued, shall be forwarded to the department of labor and industry, by the officer issuing same, between the first and tenth days of each month. Said department shall examine said papers and promptly return them to the officer who sent them. Said original papers upon which said permits were issued shall be filed by said officer and preserved for such time as said permits are outstanding, or until the minor arrives at the age of sixteen. They shall be at all times accessible to the commissioner of labor or any authorized agent of his department. Said officer shall return to said child all papers with him filed in proof of age, upon a surrender of the work permit. All permits thus surrendered shall be marked cancelled by the officer receiving them. Whenever there is reason to believe that a work permit was improperly issued the commissioner of labor and State factory inspector, his deputy or agent, shall notify the local superintendent of schools of the place in which said certificate was issued. The local superintendent shall cancel such permit when directed so to do by the commissioner of labor. Blank employment certificates, to be formulated by the commissioner of labor, approved by the attorney general, and supplied by the department of labor, shall be prepared by the employer of said child and mailed within twenty-four hours to the office of the commissioner of labor to be kept on file by him. When such child leaves such employment, the employer shall return to the child the work permit by him filed, and immediately notify the commissioner of labor that such child has left his employ. [1915 C 327 s 2]

Evidence of age.—Any record of age, as provided under section two to determine whether or not a work permit may be issued to any child shall be received as evidence of the age of such child in any prosecution under this act. [1915 C 327 s 3]

Proof of age may be required for child apparently under 16.—A work permit in regular form and signed by a duly authorized officer, for all minors between the ages of fourteen and sixteen years shall be conclusive evidence of age and educational attainment in behalf of the employer of any child, upon any prosecution for violations of the provisions of the law relating to the employment of children. An inspector of factories, truant officer, or other officer charged with the enforcement of this act may make demand on any employer in or about whose place or establishment a minor apparently under the age of sixteen years is employed, permitted or sufffered to work, that such employer shall either furnish him within ten days documentary evidence of age as specified in section two, or shall cease to employ, permit or suffer such child to work in such place or establishment. [1915 C 327 s 4]

PENALTIES

Illegal employment; employer, parent, etc.; false statements; failure to comply with requirements by authorities issuing certificates, etc.—Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for some firm or corporation, or by himself, or through agents, servants or foremen; employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of this act, or otherwise fails to comply with any of the provisions of this act, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars. Any person having under his control as parent, guardian, custodian, or otherwise, any child, who permits or suffers such child to be employed or to work in violation of any of the provisions of this act, or who presents, permits or allows any child under his control to present to any employer, owner or superintendent, overseer or agent as required under section two any work permit containing any false statements as to the date of birth or age of such child, knowing them to be false, shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense. Any person authorized to issue a work permit who shall knowingly fail to perform the duties of his office as required by the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense. Whoever being authorized to sign the foregoing work permit, or whoever signing any certified copy of a town clerk's record of birth, or certified copy of a child's baptismal record, or a physician's certificate, shall knowingly testify to any false statement therein, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense. [1915 C 327 s 5]

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ENFORCEMENT

Prosecutions; powers of judges of municipal and police courts, etc.—All fines or penalties provided for by the terms of this act may be recovered or enforced by complaint or indictment, and in all prosecutions under this chapter and amendments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the supreme judicial and superior courts. [1915 C 327 s 6]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

NOTE.—[Chapter 350 of the Acts of 1915, quoted below, has been suspended in accordance with the constitution by reason of the referendum, petitions requesting the same having been duly filed. Its acceptance or rejection will be determined by a vote of the people.[1] If accepted it will supersede section 48 of chapter 40 of the Revised Statutes, 1903, as amended by chapter 55 of the Acts of 1911, section 49, as amended by chapter 143 of the Acts of 1911, and section 50 of the same chapter.]

Nine hours a day, 54 a week, in manufacturing and mechanical establishments, and in factories, laundries, etc., for boys under 16 and girls of any age; exceptions.—No male minor under sixteen years of age, and no female shall be employed in any workshop, factory, manufacturing or mechanical establishment or laundry more than nine hours in any one day; except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed fifty-four in a week. [1915 C 350 s 1]

Night work prohibited under 16 in manufacturing and mechanical establishments, factories, laundries, etc.—No minor under sixteen years of age shall be employed or permitted to work in or in connection with any of the establishments or occupations named in section one of this act, before the hour of six-thirty o'clock in the morning or after the hour of six o'clock in the evening of any one day. [1915 C 350 s 2]

Fifty-four hours a week in mercantile establishments, stores, restaurants, telegraph offices, etc., and in telephone offices where more than 3 persons are employed, for boys under 16 and girls of any age; exceptions during 8 days before Christmas and in millinery shops during 8 days before Easter; other exceptions.—No male minor under sixteen years of age and no female shall be employed in any telephone exchange employing more than three operators or in any mercantile establishment, store, restaurant, telegraph office or by any express or transportation company in the State of Maine more than fifty-four hours in any one week. The provisions of this section shall not apply between the seventeenth day of December and the twenty-fourth day of December both inclusive, and shall not apply during the eight days prior to Easter Sunday to persons employed in millinery shops or stores. In cases of emergency, in which there is danger to property, life, public safety or public health and in cases of extraordinary public requirement the provisions of this act shall not apply to employers engaged in public service. [1915 C 350 s 3]

Period of rest after 6 hours' work for girls in establishments where 3 or more females are employed; exceptions.—No female shall, except in cases of emergency or extraordinary public requirement as provided in section three of this act, be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in sections one and three of this act in which three or more such females are employed without an interval of at least one hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half-past one o'clock in the afternoon and if she is then dismissed for the remainder of the day. [1915 C 350 s 4]

Hours to be posted; employment for longer hours violation of act; exceptions.—Every employer except those hereinafter designated, shall post and keep posted in a conspicuous place in every room in any establishment or place of occupation named in sections one and three of this act in which females or male minors under sixteen years of age are employed, a printed notice stating the number of hours such females or male minors are required or permitted to work on each day of the week, the hours of beginning and ending, and the recess allowed for meals: *Provided however*, That every employer engaged in furnishing public service or in any other kind of business in respect to which the State department of labor and industry shall find that public

[1] On Oct. 1, 1915, no vote had been taken.

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necessity or convenience requires the employment of women or male minors as aforesaid by shifts during different periods or parts of the day shall post in a conspicuous place in every room in which such persons are employed, a printed notice stating separately the hours of employment for each shift or tour of duty, and the amount of time allowed for meals. The printed form of such notice shall be furnished by the commissioner of labor and industry and State factory inspector. The employment of any such female or male minor for a longer time in any day than that stated in the printed notice, or, in case the hours named in such notice are less than as provided in sections one and three of this act, the employment of any such female or male minor for a longer time in any day than as provided in sections one and three of this act, shall be deemed a violation of the provisions of this section except in cases of emergency or extraordinary public requirement as provided in section three of this act, and in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the commissioner of labor and industry and State factory inspector. Whenever the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females or male minors employed, the commissioner of labor and industry and State factory inspector may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females or male minors are required or permitted to work on each day of the week, and the hours of beginning and stopping such work. Such permit shall be kept by such employer upon such premises, and exhibited to the commissioner of labor and industry and State factory inspector, his deputy, or any authorized agent of the labor department, who is hereby authorized to enforce this act. [1915 C 350 s 5]

Time book required for boys under 16 and girls of any age; to be open to inspection; failure to keep or produce record, making false statements, etc., violation of act.—Every employer shall keep a time book or record for every female, and every male minor under sixteen years of age employed in any establishment or occupation named in sections one and three of this act, stating the number of hours worked by each female and each male minor under sixteen years of age on each day of the week. Such time book or record shall be open at all reasonable hours to the inspection of the commissioner of labor and industry and State factory inspector, his deputy, or any authorized agent of the labor department. Any employer who fails to keep such record as required by this section or makes any false entry therein, or refuses to exhibit such time book or record, or makes any false statement to the commissioner of labor and industry and State factory inspector, his deputy or any authorized agent of the labor department, in reply to any question put in carrying out the provisions of this act shall be liable for a violation thereof. [1915 C 350 s 6]

Penalty.—Any person who violates any of the provisions of this act shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for the first offense; for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars; for a third offense and every subsequent offense by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars. [1915 C 350 s 7]

Application of act.—Nothing in the seven preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto. [1915 C 350 s 8]

Prosecutions; powers of judges of municipal and police courts, etc.—All fines or penalties provided for by the term of this act may be recovered or enforced by complaint or indictment, and in all prosecution under this chapter and amendments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the supreme judicial and superior courts. [1915 C 350 s 9]

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MARYLAND

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RAILROADS[1]

HOURS OF LABOR

Eight hours a day for certain telegraph and telephone operators; penalty.—It shall be unlawful for any person, corporation or association operating a railroad within this State to permit any telegraph or telephone operator who spaces trains, by the use of the telegraph or telephone, under what is known and termed "block system" (defined as follows): Reporting trains to another office or offices, and to the train dispatcher registering the same and operating one or more train order signals, and telegraph or telephone levermen who manipulate interlocking machines in railroad yards or on main tracks out on the lines connecting side tracks or switches or train despatchers in its services; whose duties substantially as hereinbefore set forth pertain to the movement of cars, engines or trains on its railroad by the use of the telegraph or telephone in despatching or reporting trains or receiving or transmitting train orders as interpreted in this section, to be on duty for more than eight hours in any twenty-four consecutive hours. Any person, corporation or association that shall violate section 323, shall pay a fine of one hundred dollars for each violation of this act. * * * [Annotated Code 1911 volume 1 (1911) article 23 section 323]

Application of act.—* * * The provisions of sections 323 to 325 shall not apply to any part of a railroad where not more than eight regular passenger trains in twenty-four hours pass each way: *Provided moreover*, That where twenty freight trains pass each way generally in each twenty-four hours then the provisions of sections 323 to 325 shall apply, notwithstanding that there may pass a less number of passenger trains than hereinbefore set forth, namely, eight. [A C 1911 v 1 (1911) art 23 s 325]

[1] See court decision on page 7 (New York).

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Two days' rest in every calendar month for certain employees; exceptions; penalty.—Any person employed as signalman, towerman, gateman, leverman, agent, train dispatcher, telegraph or telephone operator in a railroad signal tower or public railroad station to receive or transmit a telegraphic or telephonic message or train order for the movement of trains and who works eight hours or more in any twenty-four each and every day continuously, and all levermen employed in connection with the reception or transmission of a telegraphic or telephonic message or train order for the movement of trains and who work the number of hours aforesaid must have and shall be allowed at least two days of twenty-four hours each in each and every calendar month for rest with the regular compensation; except in cases of extraordinary emergency caused by accident, fire, flood or danger to life or property, and for such extra service in case or cases of such emergency, such employee or employees who shall work on extra days by reason of such emergency shall be paid in addition to his regular compensation for and during the calendar month in which such extra service shall be rendered an amount equal to his average daily compensation for each day during which he performs such extra service. Any person or persons, company, corporation or association, who shall violate any of the provisions of this section shall on conviction pay a fine of not less than one hundred dollars ($100) for each violation thereof * * *. [A C 1911 v 3 (1914) art 23 s 325A]

MESSENGERS

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited; night work prohibited under 16.—No telegraph, telephone or messenger company [shall] employ any person under fourteen years of age to call for or deliver any message, nor require or permit any person in its employ under sixteen years of age to call for or deliver any telegram or other message between the hours of eight o'clock p. m. and eight o'clock a. m. [A C 1911 v 1 (1911) art 23 s 375]

Sending minors to immoral places prohibited.—No telegraph, telephone or messenger company shall require or permit any minor person in its employ to call for or deliver any telegram or other message at or to any house of ill repute or questionable character wherein is conducted any business tending to demoralize by example or contact said minor. [A C 1911 v 1 (1911) art 23 s 376]

Penalty.—Any company or representative thereof who shall violate the provisions of the two preceding sections shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars, or sixty days in jail or both, at the discretion of the court, for each and every offense. [A C 1911 v 1 (1911) art 23 s 377]

MANUFACTURING ESTABLISHMENTS IN THE STATE—MERCANTILE ESTABLISHMENTS IN BALTIMORE

HOURS OF LABOR

Ten hours a day under 16.—No child under sixteen years of age shall be employed in laboring more than ten hours a day in any manufacturing business or factory established in any part of the State, or in any mercantile business in the city of Baltimore. [A C 1911 v 3 (1914) art 27 s 239]

Enforcement and penalty.—Any person who shall so employ a child or suffer or permit such employment shall be guilty of misdemeanor and upon conviction shall be fined not less than one hundred dollars; one-half of which shall be paid to the Maryland State bureau of statistics and information, which is hereby invested with the general duty and power of enforcing this law. [A C 1911 v 3 (1914) art 27 s 240]

Definitions.—The word "suffer or permit" includes every act or omission whereby it becomes possible for the child to engage in such labor. [A C 1911 v 3 (1914) art 27 s 241]

MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted; duties and powers of health authorities; penalty.—All proprietors or owners of any retail, jobbing or wholesale dry goods store, notion, millinery or any other business where any female sales people or other female help are employed for the purpose of serving the public, shall provide a chair

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or stool for each one of such female help, in order that when they are not actively engaged in making sales or taking stock or in performing such other duties as they may have been engaged to perform, they shall have an opportunity to rest, and they shall not be forbidden to avail themselves of such opportunity. Any such owner or proprietor who shall neglect or refuse to obey the provisions of this section shall be considered to have committed a misdemeanor, and shall, upon conviction thereof, be fined in an amount not less than ten dollars nor more than one hundred dollars for the first offense; and in the event that such proprietor or owner shall continue to disobey the provisions of this section, he shall be subject to a fine at the rate of one dollar a day, daily, for every chair or stool he fails to so furnish his said employees. It shall be the duty of the board or department of health or health commissioner or commissioners of the cities and towns in the State to cause this section to be enforced, and whenever any of its provisions are violated, to cause all violators thereof to be prosecuted, and for that purpose the health commissioner or commissioners and the officer or officers of the board of health of every city and town in the State, or the inspectors thereof, or any other persons designated by such board of health or health commissioner or commissioners are authorized and empowered to visit and inspect at all reasonable hours and as often as shall be practicable and necessary all mercantile establishments in the city or town in which the office of the said board or department of health or health commissioner or commissioners is situated, and it shall be unlawful for any person to interfere with or obstruct any such inspecting official while in performance of his or her duties or to refuse to properly and truthfully answer questions made pertinent by this section when asked by such inspecting official. [A C 1911 v 3 (1914) art 27 s 260]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of inspectors.—The chief of the bureau of industrial statistics, or his assistant, or any inspector, shall have authority to enter any room in any tenement or dwelling house, workshop, manufacturing establishment, mill, factory or place where any goods are manufactured, for the purpose of inspection. The person, firm or corporation owning or controlling or managing such places shall furnish access to and information in regard to such places to the said chief of the bureau of industrial statistics or his deputies at any and all reasonable times while work is being carried on. [A C 1911 v 3 (1914) art 27 s 273]

Penalty for hindering inspector.—Any person, firm or corporation who * * * shall refuse to give such information and access to the chief of the bureau of industrial statistics or his deputies * * * shall, upon conviction in any court of competent jurisdiction, be fined not less than five dollars nor more than one hundred dollars, or imprisonment [imprisoned] not less than ten days nor more than one year, or both, in the discretion of the court, such fines to be collected as all fines are collected by law. [A C 1911 v 3 (1914) art 27 s 275]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in rope walking, gymnastics, circus riding, street singing, etc., prohibited; penalty for parent, employer, etc.—Any person having in his custody or control a child under the age of fourteen years who shall in any way dispose of it with a view to its being employed as an acrobat, or a gymnast, or a contortionist, or a circus rider, or a ropewalker, or in any exhibition of like dangerous character, or as a beggar or mendicant, or street singer, or street musician, and any person who shall take, receive, hire, employ, use, exhibit or have in custody any child under the age last named for any of the purposes herein enumerated shall be deemed guilty of a misdemeanor and when convicted thereof shall be subject to punishment by fine of not more than one hundred dollars or by imprisonment for a term not exceeding ninety days in jail, or both. [A C 1911 v 3 (1914) art 27 s 344]

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INTOXICATING LIQUORS

MINIMUM AGE

Employment under 16 in brewery or bottling establishments prohibited.—No person shall employ a minor under sixteen years of age in handling intoxicating liquors, or in handling packages containing intoxicating liquors, in any brewery or bottling establishment where intoxicating liquors are prepared for sale or offered for sale. [A C 1911 v 3 (1914) art 27 s 346]

Penalty.—Whoever violates the provisions of section 346 shall be guilty of a misdemeanor, and on conviction thereof shall in the discretion of the court be fined a sum not less than ten dollars nor more than one hundred dollars, or be imprisoned in jail for not less than five nor more than thirty days, in default of payment of said fine. [A C 1911 v 3 (1914) art 27 s 347]

NOTE.—[This age limit has been raised to 18, but the penalty for employment under 16, as here given, does not appear to have been superseded by the later act. See A C 1911 v 3 (1914) art 100 s 21.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment of girls as waiters or in sale of liquors, etc., in places of amusement prohibited.—It shall not be lawful for any proprietor, lessee or manager of any theater, museum or other place of amusement to employ women or girls as waiters, or to permit them to act in such theater or place of amusement, or among the audience or frequenters of such theater or place of amusement as waiters, or for the purpose or under the pretense of selling, serving, receiving orders or pay for spirituous or malt liquors, wines, lager beer or any other refreshments or merchandise. [A C 1911 v 3 (1914) art 27 s 442]

Penalty.—Any person violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and on conviction thereof in the criminal court of Baltimore or the circuit court for the county shall be sentenced to pay a fine of not less than one hundred nor more than one thousand dollars, or to imprisonment in jail for not less than one month nor more than six months, or to both fine and imprisonment at the discretion of the court, and to forfeiture of license; one-half the fine to be paid to the informer and the other half to the State. [A C 1911 v 3 (1914) art 27 s 443]

Employment under 16 in rope walking, singing, dancing, etc., prohibited; penalty for parent, employer, etc.—Any person having in his care, custody or control any child under the age of sixteen years, whether as parent, guardian, relative, employer or otherwise, who shall sell, apprentice or give away, let out or otherwise dispose of any such child to any person under any name, title or pretense whatever, and any person, whether as parent, guardian, relative, employer or otherwise, who shall take, receive, hire, employ, use or have in custody any such child for the vocation, use, occupation, calling, service or purpose of singing, playing on musical instruments, rope walking, dancing, peddling, begging or any mendicant or wandering business whatsoever shall be deemed guilty of a misdemeanor, and upon conviction thereof before any competent tribunal to which such person may be committed for trial shall be fined not less than fifty nor more than two hundred and fifty dollars, or be imprisoned in a county jail for not less than thirty days nor more than a year, or suffer both such fine and imprisonment in the discretion of the said tribunal; one-half of all fines so imposed to be paid to the informer. [A C 1911 v 3 (1914) art 27 s 476]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors in saloons, etc., prohibited; penalty.—It shall not be lawful for any person, or for any club or association, or for any corporation now formed or hereafter to be formed, or for any officer, agent or employee of any such club, association or corporation, to hire or employ any minor to sell or dispense anywhere in the State any beer or spirituous or fermented liquors of any kind at retail, where such beer or liquors are to be drunk upon the premises. Any person violating any provision of this section shall upon conviction be fined a sum not exceeding one hundred dollars. [A C 1911 v 2 (1911) art 56 s 98]

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14 in Baltimore; from 14 to 16 if not regularly employed; exceptions.—Every child residing in Baltimore city between eight and fourteen years of age shall attend some [day] school regularly as defined in section 160 of this subtitle [s 153–172], during the entire period of each year, the public day schools in said city in which said child resides are in session, unless it can be shown that the child is elsewhere receiving regularly thorough instruction during said period in the studies usually taught in the said public schools to children of the same age: *Provided*, That the superintendent or principal of any school, or person or persons duly authorized by said superintendent or principal may excuse cases of necessary absence among its enrolled pupils: *And provided further*, That the provisions of this section shall not apply to a child whose mental or physical condition is such as to render its instruction as above described inexpedient or impracticable. Every person having under his control a child between eight and fourteen years of age shall cause such child to attend school or receive instruction as required by this section [sic] children over fourteen years of age and under the age of sixteen years; [sic] and every person having under his control such a child shall be subject to the requirements of this section, unless [such] children are regularly and lawfully employed to labor at home or elsewhere.[1] [A C 1911 v 3 (1914) art 77 s 153 [2]]

Children from 8 to 14 in counties where school commissioners approve; from 14 to 16 if not regularly employed; exceptions.—Every child residing in any county of this State between eight and fourteen years of age shall attend some day school regularly as defined in section 160 of this subtitle [s 153–172] during such consecutive period of each year (in no case less than four months) as shall be prescribed by the board of school commissioners of the county in which the said child may reside, unless it can be shown that such child is elsewhere receiving regularly thorough instruction during said period in the studies usually taught in the public schools of the county to children of the same age: *Provided*, That the superintendent or principal of any school or person or persons duly authorized by such superintendent or principal may excuse cases of necessary absence among its enrolled pupils: *And provided further*, That the provisions of this section shall not apply to children whose mental or physical condition is such as to render instruction above described inexpedient or impracticable. Every person having under his control a child between eight and fourteen years of age shall cause such child to attend school or receive instructions as required by this section. Children over fourteen years of age and under the age of sixteen years, and every person having under his control such a child shall be subject to the requirements of this section, unless such children are regularly and lawfully employed to labor at home or elsewhere: *Provided however*, That this section shall not apply to Baltimore city: *Provided further*, That this section shall apply only in those counties where the board of county school commissioners shall approve the same and appoint an attendance officer or attendance officers for its enforcement as provided in the act of 1912, chapter 173 [s 153–167]. [A C 1911 v 3 (1914) art 77 s 153A [2]]

Penalty.—Any person who has a child under his control and who fails to comply with any of the provisions of the preceding sections 153 and 153A, shall be deemed guilty of a misdemeanor and be fined not exceeding five dollars for each offense. [A C 1911 v 3 (1914) art 77 s 154 [2]]

Employing during school hours, etc., prohibited; penalty.—Any person who induces or attempts to induce any child to absent himself unlawfully from school, or employs or harbors while school is in session any child absent unlawfully from school shall be deemed guilty of a misdemeanor, and be fined not more than fifty dollars. [A C 1911 v 3 (1914) art 77 s 155 [2]]

Enforcement: appointment of attendance officers.—The board of school commissioners of Baltimore city shall appoint and may remove at pleasure one "chief attendance officer," male or female and in addition such number of "attendance officers" not

[1] The last sentence of this section should apparently read: "* * * receive instruction as required by this section; children over fourteen years of age and under the age of sixteen years, and every person * * *."

[2] The amending act, chapter 173 of the Acts of 1912, provides in section 4 that "nothing in this act [s 153–172] shall be taken to apply to Howard, Kent, Anne Arundel, Worcester, St. Marys and Somerset Counties, but the existing laws which this act undertakes to repeal and reenact shall remain in force as far as they now apply to the said Howard, Kent, Anne Arundel, Worcester, St. Marys and Somerset Counties." The act of 1902, which this act repealed and reenacted, did not apply to the counties herein mentioned; thus it would appear that the compulsory school law can not apply to these counties. On Jan. 1, 1915, the law as provided for in section 153A of the Code was in force in the following counties: Dorchester, Frederick, Harford, Montgomery, Baltimore, Caroline, and Talbot.

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exceeding eighteen as it may deem proper. Their compensation shall be paid by the mayor and city council of Baltimore. The boards of school commissioners of the several counties may appoint and may remove at pleasure for their respective counties or any part thereof such number of "attendance officers," male or female, as they may deem necessary or desirable and fix their compensation from the general school fund of the respective counties. [A C 1911 v 3 (1914) art 77 s 156 [1]]

Enforcement: duties and powers of attendance officers.—It shall be the duty of each attendance officer, and said officer shall have full power, within the city or county for which he or she may be appointed, to arrest without warrant any child between eight and sixteen years of age found away from his home, and who is a truant from school, or who fails to attend school in accordance with the provisions of this subtitle [s 153–172]. The said officer shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or to the teacher from whose school such a child is then a truant * * *. The attendance officer shall promptly report every such arrest to the school commissioners of the said city or county, respectively, or to such person or persons as they may direct. [A C 1911 v 3 (1914) art 77 s 157 [1]]

Enforcement: duties of teachers, etc.—It shall be the duty of the principal or head teacher of every public or private school in this State to report immediately to the school commissioners of the county, where such school is located, or of Baltimore city if located therein, or to an attendance officer or other official designated by such commissioners, the names of all children enrolled in his or her school who have been absent or irregular in attendance three days or their equivalent without lawful excuse within a period of eight consecutive weeks. [A C 1911 v 3 (1914) art 77 s 160[1]]

SCHOOL CENSUS IN BALTIMORE

Enumeration of children from 6 to 18, inclusive; penalty for withholding information or making false statements.—It shall be the duty of the police commissioners of Baltimore city, between the tenth and thirtieth day of November of each year, to cause a census, as nearly as possible accurate, to be made by members of the force under their command, of every child from six to eighteen years of age, inclusive, resident in the said city. The said police commissioners shall, for the purpose of taking said census divide the city into such posts, districts, or other subdivisions as they shall determine. The said census shall give the full name, address, age, color, sex and place of birth of each child, the school attended, or if not at school, his employment or that he is not employed, and the place of birth of each parent of said child, and the full and complete records of said census shall be furnished by said police commissioners to the board of school commissioners of Baltimore city on or before the tenth day of December in each and every year. Whosoever has under his control a child between said ages and withholds information in his possession from any office demanding it relating to the items aforesaid, or makes any false statement in regard to the same, shall be deemed guilty of a misdemeanor and be fined not more than twenty dollars. [A C 1911 v 3 (1914) art 77 s 159[1]]

REGULATED OCCUPATIONS

ENFORCEMENT

Powers of attendance officers.—Attendance officers may visit all establishments where minors are employed in their several cities and counties, and ascertain whether any minors are employed therein contrary to law. Attendance officers may require that the certificates provided for in article 100 of the code of public general laws of Maryland [A C 1911 v 3 (1914) art 100] relating to minors employed in such establishments shall be produced for inspection. [A C 1911 v 3 (1914) art 77 s 166[1]]

[1] The amending act, chapter 173 of the Acts of 1912, provides in section 4 that "nothing in this act [s 153–172] shall be taken to apply to Howard, Kent, Anne Arundel, Worcester, St. Marys and Somerset Counties, but the existing laws which this act undertakes to repeal and reenact shall remain in force as far as they now apply to the said Howard, Kent, Anne Arundel, Worcester, St. Marys and Somerset Counties." The act of 1902, which this act repealed and reenacted, did not apply to the counties herein mentioned; thus it would appear that the compulsory school law can not apply to these counties. On Jan. 1, 1915, the law as provided for in section 153A of the Code was in force in the following counties: Dorchester, Frederick, Harford, Montgomery, Baltimore, Caroline, and Talbot.

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EDUCATIONAL REQUIREMENTS—FACTORIES, MILLS, ETC.

PENALTY.

Violation of act.—Any person violating any provisions of this subtitle [s 153–172], where not special provision as to the penalty for such violation is made, shall be deemed guilty of a misdemeanor and be fined not exceeding fifty dollars for each offense. [A C 1911 v 3 (1914) art 77 s 167] [See footnote 1, page 8]

MANUFACTURING ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours a full day's work; contracti for longer day's work prohibited.—No corporation or manufacturing company engaged in manufacturing either cotton or woolen yarns, fabrics or domestics of any kind, incorporated under the laws of this State, and no officer, agent or servant of such named corporation or manufacturing company, and no person or firm owning or operating such corporation or manufacturing company within the limits of this State, and no agent or servant of such firm or person shall require, permit or suffer his, its or their employees in its, his or their service, or under his, its or their control to work for more than ten hours during each day or any day of twenty-four hours for one full day's work and shall make no contract or agreement with such employees or any of them providing that they or he shall work for more than ten dours for one day's work during each or any day of twenty-four hours and said ten hours shall constitute on full day's work. [A C1911 v 2 (1911) art 100 s 1]

Male employees over 21 excepted.—Ang such named corporation orfmanufacturing company within the limits of this State shall be allowed, under the provisions of this section, the privilege of working male employees, over the age of twenty-one years over the limit of ten hours for the express purpose only of making repairs and improvements and getting fires made, steam up and the machinery ready for use in their works, which can not be done during the limit of ten hours; the extra compensation for all such work to be settled between such corporation and manufacturing companies and the employees: *Provided*, That nothing in this article shall be so construed as to probihit any employer from making a contract with his male employees, over the age of twenty-one years. to work by the hour for such time as may be agreed upon. [A C 1911 v 2 (1911) art 100 s 2)

Penalty.—If any such corporation or manufacturing company within the limits of this State, or any officer, ogent or servant of such corporation or manufacturing company in this State shal do any act in violation of any of the provisions of this article he or they shall be deemed to have been guilty of [a] misdemeanor and shall, on conviction thereof in a court of competent jurisdiction. be fined not less than one hundred dollars for each and every offense so committed, together with the cost of such prosecution * * *. [A C 1911 v 2 (1911) art 100 s 3]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS, WORKSHOPS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations and in tenement house manufactories or workshops, messenger service, etc.—No child under 14 years of agae shall be employed, permitted or suffered to work in, about or in connection with any mill, factory, workshop, mechanical establishment, tenement thouse manufactory or workshop, office building, restaurant, bakery, borber shop, hotel, agartment house, bootblack stand or establishment, public stable, garage, laundry, or as a driver, or in any brick or lumber yard, or in the construction or repair of buildings, or as a messenger for telegraph, telephone, or messenger companies. [A C 1911 v 3 (1914) art 100 s 4]

Court decision.—A former section on the above subject was held constitutional.—The Cotton Duck Co. v. Frankfort Insurance Co., 111 Md., 561 (1909).

MERCANTILE, CANNING, AND PACKING ESTABLISHMENTS, ETC.

MINIMUM AGE

Employment under 12 prohibited in these occupations and in offices, places of amusement, etc.—No child under 12 years of age shall be employed, permitted or suffered to work in, about, or in connection with any canning or packing establishment, mer-

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cantile establishment, store, office, boarding house, place of amusement, club or in the distribution, transmission, or sale of merchandise. [A C 1911 v 3 (1914) art 100 s 5]

ALL OCCUPATIONS.

MINIMUM AGE.

Employment under 14 during school hours prohibited; exceptions.—It shall be unlawful for any person, firm or corporation to employ, permit or suffer to work for hire or remuneration any child under fourteen years of age in any business or service whatever during any of the hours when the public schools of the district in which said child resides are in session, unless said child shall have previously fulfilled during the current school year such requirements as to school attendance as now or may hereafter be prescribed by law. [A C 1911 v 3 (1914) art 100 s 6]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS.

MINIMUM AGE.

Specific occupations prohibited under 16; machinery, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations, or in any of the following positions: Adjusting any belt to any machinery; sewing or lacing machine belts in any workshop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the following machines: Circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery, wood-turning or boring machinery, picker machines or machines used in picking wool, cotton, hair or any other material, carding machines, paper-lace machines, leather-burnishing machines, job or cylinder printing presses operated by power other than foot power, boring or drill presses, stamping machines used in sheet-metal and tinware or in paper and leather manufacturing or in washer or nut factories, metal or paper cutting machines, corner-staying machines in paper-box factories, corrugating rolls, such as are used in corrugated paper, roofing or washboard factories, steam boilers, dough brakes or cracker machinery of any description, wire or iron straightening or drawing machinery, rolling-mill machinery, power punches or shears, washing, grinding or mixing machinery, calender rolls in paper and rubber manufacturing, laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or upon any railroad, whether steam, electric or gydraulic; or upon any vessel or boat engaged in navigation or commerce [A C 1911 v 3 (1914) art 100 s 7]

MINIMUM AGE AND THEATRICAL PERMITS.

Specific occupations prohibited under 16; dangerous processes, mines, etc.; permits required for children under 16 in theatrical exhibitions, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about or in connection with any processes in which dangerous or poisonous acids are used; nor in the manufacture or packing of paints, colors, white or red lead; nor in soldering; nor in occupations causing dust in injurious quantities; nor in the manufacture or use of dangerous or poisonous dyes, nor in the manufacture or preparation of compositions with dangerous or poisonous gases; nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; nor on scaffolding; nor in heavy work in the building trades; nor in any tunnel or excavation; nor in, about or in connection with any mine, coal breaker, coke oven, or quarry; nor in assorting, manufacturing or packing tobacco; nor in operating any automobile, motor car or truck; nor in a pool or billiard room; nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child; nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall or in connection with any theatrical performance or other exhibition or show: *Provided*, That the chief of the Maryland bureau of statistics and information may issue a permit allowing a child under such age to appear in connection with theatrical performances or other exhibition or show, for a period not exceeding two weeks, when, in his opinion, such permit is justified by the evidence presented to him. [A C 1911 v 3 (1914) art 100 s 8]

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MANUFACTURING, MECHANICAL, MERCANTILE, CANNING, AND PACKING ESTABLISHMENTS, WORKSHOPS, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required under 16 in these occupations and in tenement house manufactories or workshops, messenger service, places of amusement, etc.; lists of boys under 16 and girls under 18 to be posted, etc.—No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in sections 4 and 5 unless the person, firm, or corporation employing such child procures and keeps on file, and accessible to any attendance officer, inspector of factories, or other authorized inspector or officer charged with the enforcement of this subtitle [s 4–49], the employment certificate as hereinafter provided, issued to said child; and keeps two complete lists of the names, together with the ages, of all boys under sixteen years of age and all girls under eighteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed; and unless such employment, permission or sufferance to work in, about or in connection with said establishments or occupations shall be in accordance with the terms and regulations laid down for said employment certificates as hereinafter provided. [A C 1911 v 3 (1914) art 100 s 9]

Inspection of certificates and lists.—Attendance officers, inspectors of factories, or other authorized inspectors or officers charged with the enforcement of this subtitle [s 4–49] shall require that the employment certificates and lists provided for in this subtitle be produced for their inspection. [A C 1911 v 3 (1914) art 100 s 10]

Certificates to be returned to issuing office; records of issuing office; new certificates.—On termination of the employment of a child under sixteen years of age, the employment certificate issued to such child shall be returned by registered mail by the employer to the official issuing the same within twenty-four hours if said return is demanded by said child and otherwise within fifteen days of the termination of said employment, and the official to whom said certificate is so returned shall file said certificate and preserve the same and on the return of said certificate shall notify the chief of the bureau of statistics and information of said return. Any child whose employment certificate has been returned as above provided shall be entitled to a new certificate without reexamination except a physician's certificate that the child is physically able to undertake the work for which the new certificate is to be issued, and such reissue of a certificate shall be subject to all conditions as to recording and reporting governing the original issue. [A C 1911 v 3 (1914) art 100 s 11]

Bureau of statistics and information to issue certificates in Baltimore, and school authorities also in the counties; methods of issuing; general and vacation certificates.—An employment certificate shall be issued in Baltimore city only by the chief of the Maryland bureau of statistics and information, and in the counties by said chief or by the county superintendent of schools of the county in which said child resides, or is employed, or by some person designated in writing by said superintendent. The employment certificate shall be issued only upon the application in person of the parent, guardian or legal custodian of the child desiring such employment, or if said child have no parent, guardian or legal custodian, then by next friend, but no certificate shall be issued by any person for any child then in, or about to enter such person's own employment, or the employment of a firm or corporation of which said person is a member, officer or employee. Employment certificates shall be of two classes: General employment certificates and vacation employment certificates. General employment certificates shall entitle the child to work during the entire year; vacation employment certificates shall entitle the child to work during the entire year, excepting during such time as said child is required to attend public or private schools under the provisions of the laws now in force, or hereafter to be enacted. [A C 1911 v 3 (1914) art 100 s 12]

Age, school, and health records required.—The person authorized to issue a general employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers, duly executed, viz:

(1) The school record of such child properly filled out and signed, as provided in this subtitle [s 4–49], which school record shall be furnished without charge to any child applying therefor by the superintendent or teacher in charge of the school or schools attended by said child.

(2) A certificate signed by a physician appointed by the officer authorized to issue such permit stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound

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health and physically able to be employed in the occupation or process for which a permit is applied for.

(3) Evidence of age showing that the child is fourteen years old or upwards, which shall consist of one of the following proofs of age and shall be required in the order herein designated as follows: (a) A duly attested transcript of the birth certificate filed according to law with a register of vital statistics, or other officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child. (b) A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child. (c) In case none of the above proofs of age can be produced, other documentary evidence of age which shall appear to be satisfactory to the officer issuing the certificate (aside from the school record of such child or the affidavit of parent, guardian, legal custodian or next friend), may be accepted in lieu thereof. In such case a school census or enumeration record, duly attested, may be used as proof of age in the discretion of the officer issuing the certificate. (d) In case no documentary proof of age of any kind can be produced, the officer issuing the certificate may receive and file an application signed by the parent, guardian, legal custodian or next friend of the child for physician's certificate. Such application shall contain the name, alleged age, place and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall contain a statement certifying that the parent, guardian, legal custodian, or next friend, signing such application, is unable to produce any of the documentary proofs of age specified in the preceding subdivisions of this section. Such application shall be filed for not less than ten days to enable the person authorized to issue certificates to investigate the truth of the statements contained in said application, and in case no facts appear within such period of ten days discrediting or contradicting any material statement of such application, the person authorized to issue certificates shall direct the physician hereinbefore provided for to add to his statement as to the physical condition of said child a certificate stating whether said child is, in the opinion of said physician, of the full age of 14 years; and in case said physician shall so certify that said child is, in his opinion, at least of the full age of fourteen years, said person authorized to issue certificates shall accept said physician's certificate as sufficient proof of the age of such child for the purposes of this section. The officer issuing the certificate shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent, guardian, legal custodian or next friend, showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, date and place of birth, and present residence of such child. [A C 1911 v 3 (1914) art 100 s 13]

Method of issuing general certificates; educational requirements.—No general employment certificate shall be issued until the child in question has personally appeared before and been examined by the officer issuing the certificate, nor until such officer, after making such examination, has signed and filed in his office a statement that the child can read intelligently and write legibly simple sentences in the English languages [language]. [A C 1911 v 3 (1914) art 100 s 14]

Method of issuing vacation certificates; age and health certificates required.—The person authorized to issue a vacation employment certificate shall not issue such certificate until the child in question has personally appeared before said person authorized to issue said certificate, and until said person so authorized has received and filed the following papers duly executed, viz:

(1) Evidence of age, showing that said child is 12 years old or upwards, which evidence of age shall consist of A, B or C [a, b, c] as set forth in section 13 above, or in lieu of said evidence A, B or C [a, b, c], in case they can not be prevented [presented], a statement from a regular physician designated by said person authorized to issue said certificate, certifying that he has examined said child, and that in his opinion said child is of the age of 12 years or upward, together with the affidavit of the parent, guardian, legal custodian or next friend of such child, that such child is above the age of 12 years.

(2) A statement from a regular physician designated as above, certifying that he has examined said child, and that in his opinion said child is physically able to undertake the work for which said certificate is to be issued. [A C 1911 v 3 (1914) art 100 s 15]

Contents of employment certificates and records of issuing office.—All employment certificates shall be issued on forms supplied by the bureau of statistics and infor-

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mation. All certificates issued in Baltimore city shall be in duplicate and one copy shall be retained together with the preliminary papers required by sections 13 and 15 above in the files of said bureau for the period of four years from the date of issue. All certificates issued in any of the counties of Maryland shall be made out in triplicate and one copy, together with the preliminary papers required by sections 13 and 15 shall be delivered by the person issuing said certificate to the county superintendent of schools who shall preserve said documents for the period of four years from their date of issue, or in event of his death, resignation or removal, said papers shall be delivered to his successor and by him preserved; and the third copy of said certificate shall be delivered by the person issuing the same to the bureau of statistics and information and shall be preserved in the files of said bureau for the period of four years from the date of said issue. Whenever a certificate shall be refused to any child, a statement of the name and address of said child, together with reasons for the refusal of said certificate and the school which said child should attend, shall be forwarded by the person refusing to issue said certificate to the county superintendent of schools of the county in which said child resides, if said child resides in one of the counties of this State, and to the bureau of statistics and information and said statements shall be placed on file and preserved until such time as such child, if living, shall have reached the full age of sixteen years. All employment certificates shall also contain the name and address of the prospective employer and the nature of the occupation in which said child is to be engaged, and no certificates shall be valid excepting in the hands of the employer so named and for the occupation so described. [A C 1911 v 3 (1914) art 100 s 16]

Contents of school record; educational requirements.—The school record required by this subtitle [s 4–49] shall be filled out and signed by the principal or chief executive officer of the school which such child has last attended and shall be furnished to a child who after due examination and investigation may be entitled thereto; it shall contain a statement certifying that the child has regularly attended the public schools or private or parochial schools for not less than such a minimum period of attendance as is now or may hereafter be prescribed by law during any period of twelve months after such child shall have arrived at the age of thirteen years and that such child is able to read intelligently and write legibly simple sentences in the English language, and has completed a course of study equivalent to five yearly grades in reading, spelling, writing[,] English language and geography, and is familiar with the fundamental operation[s] of arithmetic up to and including fractions. Such school record shall give the name, date of birth and residence of the child as shown on the records of the school and the name of the parent or guardian or custodian. The provisions of this section relating to school attendance shall not be enforced against any child who has been granted a permit under the provisions of chapter 192 of the act of 1906 [s 4–49]: *Provided however*, That such child is able otherwise to meet the educational requirements of this section. [A C 1911 v 3 (1914) art 100 s 17]

Blank certificates.—Certificates and other papers required in the issue of employment certificates shall be formulated by the bureau of statistics and information and furnished by it to the superintendents of schools of the various counties of this State: *Provided*, That the preliminary papers required under sections 13 and 15 of this article shall be sufficient if they state fully the facts called for by said sections, and shall not be rejected because they are not upon the forms furnished by the bureau of statistics and information. [A C 1911 v 3 (1914) art 100 s 18]

Proof of age may be required for children apparently under 16.—An inspector of factories, or attendance officer or other officers charged with the enforcement of this subtitle [s 4–49] may make demand on any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish to the person authorized to issue a certificate for said child within fifteen days satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ, or permit or suffer such child to work in such place or establishment. The person authorized to issue said certificate shall require from such employer the same evidence of age of such child as is required upon the issuance of an employment certificate and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. [A C 1911 v 3 (1914) art 100 s 19]

Failure to produce proof required by section 19 to be evidence of illegal employment.—In case any employer shall fail to produce and deliver to the proper authorities within fifteen days after demand made pursuant to section 19 of this article, the evidence of age therein required, and shall thereafter continue to employ such child or permit or

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suffer such child to work in such place or establishment, proof of the making of such demand and of such failure to produce and deliver such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor. [A C 1911 v 3 (1914) art 100 s 20]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 18; machinery, elevators, and dangerous processes; places where intoxicating liquors are manufactured, etc.—No child under the age of eighteen years shall be employed, permitted or suffered to work in, about or in connection with blast furnaces, docks or wharves; or in the outside erection and repair of electric wires; in the running or management of elevators, lifts or hoisting machines or dynamos; in oiling or cleaning machinery in motion; in the operation of emery wheels or any abrasive polishing or buffing wheel [where] articles of the baser metals or iridium are manufactured; at switch tending, gate tending, track repairing or as brakemen, firemen, engineers, motormen or conductors upon railroads, or as railroad telegraph operators; pilots, firemen or engineers upon boats and vessels; or in or about establishments where nitroglycerin, dynamite, dualin, guncotton, gunpowder or other high or dangerous explosives are manufactured, compounded or stored; or in the manufacture of white or yellow phosphorus or phosphorus matches; or in any distillery, brewery or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; or in any theater, concert hall, club or other place of amusement wherein intoxicating liquors are sold. [A C 1911 v 3 (1914) art 100 s 21]

INTOXICATING LIQUORS

MINIMUM AGE

Employment under 21 in saloons, etc., prohibited.—No minor under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any saloon or barroom where intoxicating liquors are sold. [A C 1911 v 3 (1914) art 100 s 22]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Constant standing prohibited for girls under 18.—No female under eighteen years of age shall be employed, permitted or suffered to work in any capacity where such employment compels her to remain standing constantly. [A C 1911 v 3 (1914) art 100 s 23]

MESSENGERS IN CITIES

HOURS OF LABOR

Night work prohibited under 18.—In cities having a population of 20,000 or over no person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for telegraph, telephone or messenger companies in the distribution, transmission or delivery of goods or messages before six o'clock in the morning or after ten o'clock in the evening of any day. [A C 1911 v 3 (1914) art 100 s 24]

ALL ESTABLISHMENTS

HOURS OF LABOR

Hours of labor to be posted where persons under 18 are employed.—Every employer shall post and keep posted in a conspicuous place in every establishment wherein any person under the age of eighteen is employed, permitted or suffered to work, a printed copy of the sections of this subtitle [s 4–49] relating to hours of labor. Such copies shall be prepared by the Maryland bureau of statistics and information and be furnished by it on application of such employer. [A C 1911 v 3 (1914) art 100 s 25]

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STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 10 and girls under 16 in selling newspapers, magazines, etc., prohibited; exceptions.—No boy under ten years of age and no girl under sixteen years of age shall in any city having a population of 20,000 or over distribute, sell, expose or offer for sale newspapers, magazines or periodicals in any street or public place: *Provided*, That nothing herein shall be construed to forbid the serving of newspapers on a regular route by boys under said age: *And provided*, Said service shall not be made during the hours when the public schools of said city are in session. [A C 1911 v 3 (1914) art 100 s 26]

Employment of boys under 14 and girls under 16 in any other street trade, prohibited.—No boy under fourteen years of age and no girl under sixteen years of age shall in any city having a population of 20,000 or over be employed or permitted or suffered to work at any time as a bootblack or in any other trade or occupation performed in any street or public place, or in the distribution of hand bills or circulars, or any other articles except newspapers, magazines and periodicals as herein provided. [A C 1911 v 3 (1914) art 100 s 27]

PERMITS AND BADGES

Permits and badges required for boys under 16; method of securing; school attendance required.—No boy under sixteen years of age shall have authority in his discretion [1] in any city having a population of 20,000 or over distribute, sell, expose or offer for sale in any street or public place any newspapers, magazines or periodicals or work in any of the trades or occupations mentioned in section 27, unless he complies with all of the legal requirements concerning school attendance and unless a permit and badge as hereinafter provided shall have been issued to him by the officer authorized to issue employment permits under this subtitle [s 4–49], upon the application in person of the parent, guardian or custodian of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian, then upon the application of his next friend, being an adult. [A C 1911 v 3 (1914) art 100 s 28]

Age and school records required; records of issuing office.—Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed the following papers, duly executed, viz:

(1) Evidence that such boy is of the age required by section 26 or 27, as the case may be. Such evidence of age shall consist of the proof of age required for the issuing of an employment certificate as specified in section 13, subdivision (3) of this article.

(2) The written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school with the grade such child shall have attained. After having received, examined and placed on file such papers, the officer shall have authority in his discretion to issue to the child a permit and badge: *Provided*, That in the case of a boy between the ages of fourteen and sixteen having an employment certificate, such certificate shall be accepted by the officer issuing such permit and badge in lieu of any other requirements. The officer issuing such permits and badges shall keep a complete list of all children to whom permits and badges have been issued as herein provided. [A C 1911 v 3 (1914) art 100 s 29]

Contents of permit and badge.—Such permit shall state the name and the date and place of birth of the child, the name and address of the parent or guardian or custodian or next friend making application for such permit, and shall describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such child, and shall further state that the papers required by the preceding sections have been duly examined and signed, and that the child named in such permit has personally appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit and the name of the child. Every such permit and every such badge on its reverse side shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. [A C 1911 v 3 (1914) art 100 s 30]

Badge to be worn conspicuously; nontransferable.—The badge provided for herein shall be worn conspicuously at all times by such child while so working. All such permits and badges shall expire annually on the first day of January, and no such permit or badge shall be authority beyond the period fixed therein for its duration. The color of the badge shall be changed each year. No child to whom such permit

[1] The words "have authority in his discretion" seem to have been accidentally inserted.

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and badge are issued shall transfer the same to any other person. He shall exhibit the same upon demand at any time to any officer charged with the duty of enforcing the provisions of this subtitle [s 4–49] relating to street trades. [A C 1911 v 3 (1914) art 100 s 31]

HOURS OF LABOR

Night work and employment during school hours prohibited under 16.—No child under sixteen to whom a permit and badge are issued as provided for in the preceding sections of this subtitle [s 4–49] shall distribute, sell, expose, or offer for sale, any newspapers, magazines or periodicals, or work at any of the trades or occupations mentioned in section 27 in any street or public place after eight o'clock in the evening, or before six o'clock in the morning nor during the hours when the public schools in the city in which such child resides are in session, unless provided with an employment certificate. [A C 1911 v 3 (1914) art 100 s 32]

PENALTIES

Child violating act deemed delinquent; revocation of permit and badge; refusal to surrender permit, etc.—Any child in any city having a population of 20,000 or over who shall distribute, sell, expose or offer for sale newspapers, magazines or periodicals, or shall work at any of the trades or occupations mentioned in section 27 in violation of any of the provisions of this subtitle [s 4–49] shall be deemed delinquent and may be arrested by any officer or inspector charged with the enforcement of this subtitle or by any probation officer of a juvenile court and brought before the juvenile court if there be any juvenile court in the city where such child resides, or, if not, before any court or magistrate having jurisdiction over offenses committed by children, and shall be dealt with according to law. Upon the recommendation of the principal or chief executive officer of the school which such child is attending or upon the complaint of any officer charged with the duty of enforcing this subtitle, or of any police officer, attendance officer or probation officer of a juvenile court, the permit of any child who violates any of the provisions of this subtitle, or who becomes delinquent or fails to comply with all the legal requirements concerning school attendance, may be revoked by the officer issuing the same for a period of six months, and the badge taken from such child. The refusal of any child to surrender such permit and badge, or the working at any of the occupations above mentioned in any street or public place by any child after notice of the revocation of such permit, shall be deemed a violation of this subtitle. [A C 1911 v 3 (1914) art 100 s 33]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of factory inspectors, attendance officers, etc.—Inspectors of factories, attendance officers and others [other] authorized inspectors may, within their respective districts or jurisdictions, visit and inspect at any time any place of employment mentioned in this subtitle [s 4–49], and shall ascertain whether any minors are employed therein contrary to the provisions of this subtitle; and shall report weekly all cases of illegal employment to the officer authorized to issue employment certificates in the county or Baltimore city wherein said child shall reside, and shall also report weekly said cases of illegal employment to the county superintendent of schools, or to the board of school commissioners of Baltimore city having jurisdiction over the school which said child should attend. It shall be the duty of factory inspectors, attendance officers and other officers charged with the enforcement of this subtitle, to make complaints against any person violating any of the provisions of this subtitle and to prosecute the same. This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints. [A C 1911 v 3 (1914) art 100 s 34]

Failure to produce employment certificates and lists to be evidence of illegal employment.—A failure by an employer to produce to an attendance officer, factory inspector or other authorized inspector or officer charged with the enforcement of this subtitle [s 4–49] any employment certificate or list required by this subtitle shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not so listed. [A C 1911 v 3 (1914) art 100 s 35]

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APPLICATION OF ACT

Act not to interfere with industrial education, etc.—Nothing in this subtitle [s 4–49] shall prevent children of any age from receiving industrial education furnished by the United States, by this State, or by any city or town in this State, or by any private or parochial school, and duly approved by the State board of education or by other duly constituted public authority. [A C 1911 v 3 (1914) art 100 s 36]

PENALTIES

Illegal employment; employer, parent, etc.—Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through agents, servants or foremen, employs any child, and whoever having under his control as parent, guardian, custodian or otherwise, any child, permits or suffers such child to be employed or to work, in violation of any of the provisions of this subtitle [s 4–49], shall, for a first offense be punished by a fine of not more than fifty dollars; for a second offense by a fine of not more than two hundred dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment. [A C 1911 v 3 (1914) art 100 s 37]

Employment after notification.—Whoever continues to employ any child in violation of any of the provisions of this subtitle [s 4–49], after being notified thereof in writing by a factory inspector, attendance officer or other officer charged with the enforcement of this subtitle, shall, for every day thereafter that such employment continues, be fined not more than twenty dollars. [A C 1911 v 3 (1914) art 100 s 38]

Retention of employment certificates by employer.—Any person, firm or corporation retaining an employment certificate in violation of section 11 of this subtitle [s 4–49] shall be fined not more than fifty dollars. [A C 1911 v 3 (1914) art 100 s 39]

Failure to keep file of employment certificates and post lists.—Every employer who fails to procure and keep on file employment certificates for all children employed under the age of sixteen years, or who fails to keep and post lists, as provided in section 9 of this subtitle [s 4–49], shall be fined not more than one hundred dollars. [A C 1911 v 3 (1914) art 100 s 40]

Failure to post law relating to hours.—Any employer who fails to post and keep posted the printed notices required by section 25 of this subtitle [s 4–49] in the manner therein specified shall be fined not more than fifty dollars. [A C 1911 v 3 (1914) art 100 s 41]

Hindering inspector.—Any person, firm or corporation who hinders or delays any factory inspector, attendance officer, or any other officer charged with the enforcement of any of the provisions of this subtitle [s 4–49] in the performance of his or her duties, or refuses to admit or locks out any such inspector or officer from any place which said inspectors or officers are authorized to inspect shall be punished by a fine of not more than two hundred dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment. [A C 1911 v 3 (1914) art 100 s 42]

Violation of act by persons charged with its enforcement.—Any inspector of factories, or other authorized inspector, attendance officer, superintendent of schools or other person authorized to issue employment certificates or permits and badges as required by this subtitle [s 4–49], or other person charged with the enforcement of any of the provisions of this subtitle, who knowingly and willfully violates or fails to comply with any of the provisions of this subtitle, shall be fined not more than one hundred dollars, and, if an employee of the bureau of statistics and information, in addition thereto be subject to dismissal by the chief of said bureau. [A C 1911 v 3 (1914) art 100 s 43]

False statements by persons authorized to sign contracts.—Any person authorized to sign any certificate, affidavit or paper called for by this subtitle [s 4–49], who knowingly certifies to any materially false statement therein shall be fined not more than one hundred dollars. [A C 1911 v 3 (1914) art 100 s 44]

Refusing information; children.—Any child working in or in connection with any of the establishments or place [places] or in any of the occupations mentioned in this subtitle [s 4–49], who refuses to give to the factory inspector or other authorized inspector or attendance officer his or her name, age and place of residence, shall be forthwith conducted by the inspector or attendance officer before the juvenile court if there be any juvenile court in the city or county where such child resides, or if not, before any court or magistrate having jurisdiction of offenses committed by children for examination and to be dealt with according to law. [A C 1911 v 3 (1914) art 100 s 45]

Assisting minors to sell articles in violation of act.—Any person who either for himself or herself or as agent of any other person or of any corporation, furnishes or sells to any minor any article of any description with the knowledge that said minor intends

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to sell said article in violation of the provisions of this subtitle [s 4–49], or who shall continue to furnish or sell articles of any description to a minor after having received written notice from any officer charged with the enforcement of this subtitle, or from the officer issuing the permit and badge required by section 28, that said minor is unlicensed to sell such articles, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment. [A C 1911 v 3 (1914) art 100 s 46]

EMPLOYMENT CERTIFICATES AND RECORDS

Fees forbidden; physicians in counties excepted.—No fee shall be charged or collected from any minor, or from his parents, guardian, legal custodian or next friend for any service rendered by the bureau of statistics and information, or by any school [superintendent], or other officer issuing a permit, or for any school certificate or physician's certificate issued under the provisions of this subtitle [s 4–49]; but in the counties the physican or physicians designated by the superintendent of schools for each county, shall be entitled to receive a fee of fifty cents for each physician's certificate issued by him under the provisions of this article, said sum to be paid by the bureau of statistics and information on the warrant of the superintendent of schools of said county. [A C 1911 v 3 (1914) art 100 s 47]

ENFORCEMENT

Appointment and duties of inspectors and physicians.—The chief of the Maryland bureau of statistics and information is hereby authorized to appoint seven inspectors at a compensation not exceeding one thousand dollars each per annum, and one officer, whose duty it shall be to issue employment certificates at a compensation not exceeding twelve hundred dollars per annum, to carry out the provisions of this subtitle [s 4–49]; they shall also be allowed their actual expenses when away from the city of Baltimore in the business of their office; they shall be attached to and be part of the Maryland bureau of statistics and information, and be subject to the order of the chief of said bureau, whose duty it shall be to see that the provisions of this subtitle are enforced; and said chief of said bureau is further empowered to designate one or more regular physicians, who shall be attached to and be part of the Maryland bureau of statistics and information and be subject to the order of the chief of said bureau, who shall have such duties and receive such compensation as shall be determined upon by said chief: *Provided however*, That the total compensation of all physicians so employed by said chief of the Maryland bureau of statistics and information shall not exceed twenty-five hundred dollars per annum. [A C 1911 v 3 (1914) art 100 s 48]

Fees forbidden.—All persons authorized to issue employment certificates under this subtitle [s 4–49] are hereby authorized to take such affidavits or administer such oaths as may be called for in the issuance of certificates in this subtitle, and are hereby forbidden to charge or receive a fee therefor. [A C 1911 v 3 (1914) art 100 s 49]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Ten hours a day, 60 a week; 8 hours a day if any part night work; period of rest; exceptions in Allegany County; canning industries exempted; constitutionality of act.—No female shall be employed or permitted to work in any manufacturing, mechanical, mercantile, printing, baking or laundering establishment more than ten hours in any one day, nor more than sixty hours in any one week, nor more than eight hours in any one day if any part of her work is done before six o'clock in the morning or after 10 o'clock in the evening of the said day; nor shall any female be employed or permitted to work for more than six hours continuously at any one time in any of the aforesaid establishments in which three or more such persons are employed, without an interval of, at least, a half hour, except that such female may be so employed for not more than six and a half hours continuously at one time if she shall not be permitted to work during the remainder of the day in her said employment: *Provided*, That in Allegany County any person or persons subject to this subtitle [s 51–55] in whose establishment the average working-day for the entire year does not exceed nine hours and in which the entire working force is employed on full time for the entire year and who for a period not less than four months has established for such employees a working-day of less than nine hours, may for a period immediately thereafter, not exceeding six weeks employ

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their employees for not more than twelve hours in any one calendar day, to meet the exigencies of exceptional seasonable demands upon the trade or industry in which they are employed: *Provided further*, That the invalidity of any portion of this subtitle shall in no way affect the validity of any other portion thereof which can be given affect [effect] without such invalid part. But the provisions of this section shall not apply to females employed in the canning or preserving or preparing for canning or preserving of perishable fruits and vegetables. [A C 1911 v 3 (1914) art 100 s 51]

Hours to be posted.—Every employer shall post in a conspicuous place in every room of any manufacturing, mechanical, mercantile, printing, baking or laundering establishment in which any females are employed, a printed notice stating the provisions of this law and the hours of beginning and stopping work. The printed form of such notice shall be furnished by the chief of the Maryland bureau of statistics and information. [A C 1911 v 3 (1914) art 100 s 52]

Enforcement: appointment of woman inspector and two assistant woman inspectors.—The governor shall appoint in the year 1912 and every fourth year thereafter, in the month of May, an inspector and two assistant inspectors of female labor, who shall be female citizens of this State of good moral character. * * * [A C 1911 v 3 (1914) art 100 s 53]

Enforcement: duties and powers of inspectors.—The said inspector and her said assistants, in the discharge of their duties, may enter any place, building or room of any establishment mentioned in section 51 of this article and shall visit and inspect all establishments named in said section 51 as often as practicable during reasonable hours, and shall cause the provisions of this subtitle [s 51–55] to be enforced therein; they shall report any cases of illegal employment or other violations of sections 51 and 52 of this article to the State's attorney and the grand jury of the county or city where the said offenses shall have been committed. [A C 1911 v 3 (1914) art 100 s 54]

Penalty for violation of act or hindering inspector.—Any person violating any of the provisions of section 51 or of section 52 of this article or interfering with, molesting or obstructing the said inspector or either of her assistants in the discharge of her duties shall be deemed guilty of a misdemeanor and upon conviction shall be punished, for the first offense, by a fine of not more than $100, for a second or any subsequent offense, by a fine of not more than $1,000, or by imprisonment for not more than one year, or by both penalties in the discretion of the court. [A C 1911 v 3 (1914) art 100 s 55]

MINES IN ALLEGANY AND GARRETT COUNTIES

HOURS OF LABOR

Ten hours a day; contracts for longer hours allowed if paid as overtime.—The period of employment of workingmen employed in and about the mines of Allegany and Garrett Counties shall be ten hours per day, said hours to be computed from the time of beginning said day's labor: *Provided*, That the time of beginning said day's labor shall be seven o'clock, a. m.; but nothing herein contained shall in any way preclude any workingman in and about said mines from working a greater number of hours should he so desire, and enter into contract with the owner or owners or managers of any of said mines—such additional hours to be computed as overtime, and to be paid for. [Public Local Laws 1888 article 1 section 194]

Penalty.—Any person, body corporate, agent, manager or employer, who shall violate any of the provisions of the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars. [P L L 1888 art 1 s 195]

ENFORCEMENT

Appointment of mine inspector.—The governor shall, by and with the advice and consent of the senate, appoint one mine inspector for the counties of Allegany and Garrett, who shall hold his office for two years from the date of his appointment. * * * [P L L 1888 art 1 s 196 as reenacted by 1902 C 124]

Duties of mine inspector.—Said mine inspector shall devote the whole of his time to the duties of his office. It shall be his duty to examine each mine in said counties as often as possible, but a longer period of time than two months shall not elapse between said examination[s], to see that all the provisions of this act [s 194–209q] are observed and strictly carried out, and he shall make a record of all examinations of mines, showing the condition in which he finds them, especially with reference to ventilation and drainage, the number of persons employed in each mine, the extent to which the law is obeyed * * *. [P L L 1888 art 1 s 197 as reenacted by 1902 C 124]

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Duties and powers of mine inspector.—That the mine inspector may be enabled to perform the duties herein imposed upon him, he shall have the right at all times to enter any coal mine to make examinations or obtain information; and upon the discovery of any violation of this act [s 194–209q], it shall be the duty of said mine inspector to report the same to the grand jury for the proper county; and the grand juries for each of the said counties are hereby directed to summon said mine inspector before them at each term of court, and the respective courts of Allegany and Garrett Counties shall call this section to the attention of each grand jury. [P L L 1888 art 1 s 200 as reenacted by 1902 C 124]

MINIMUM AGE

Employment of girls of any age prohibited; duties of mine boss.—No * * * female of any age, shall be permitted to enter any mine to work therein * * *. And the mine boss shall see that this requirement is fully met. [P L L 1888 art 1 s 209n subsection H as added by 1902 C 124]

PENALTY

Violation of act.—The neglect or refusal to perform the duties required to be performed by any section of this act [s 194–209q] by parties therein required to perform them or the violation of any of the provisions or requirements hereof, shall be deemed a misdemeanor and shall, upon conviction thereof in the circuit court of the county wherein the misdemeanor was committed, or before a justice of the peace for such county, be punished by fine not exceeding five hundred dollars or imprisonment in the county jail for a period not exceeding six months, or both, in the discretion of the justice of the peace or of the court. [P L L 1888 art 1 s 209p as added by 1902 C 124 and amended by 1904 C 243]

APPLICATION OF ACT

Exemption.—The provision of this act [s 194–209q] shall not apply to any mine employing less than ten persons in any one period of twenty-four hours. [P L L 1888 art 1 s 209q subsection F as added by 1902 C 124]

ALL OCCUPATIONS IN BALTIMORE

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every employer of females and mercantile or manufacturing establishment in the city of Baltimore must provide and maintain suitable seats for the use of such employees. A person is deemed not to maintain suitable seats for the use of female employees unless he permits the use thereof by such employees to such extent as may be reasonable for the preservation of health and proper rest, and the question of what is thus reasonable is one for determination by the jury or the court acting as a jury in any prosecution hereunder. [P L L 1888 art 4 s 398 as reenacted by 1898 C 123 s 505 and by 1900 C 589]

Penalty.—Any violation of the preceding section by any employer shall be deemed a misdemeanor, and shall be punishable by a fine of one hundred and fifty dollars, to be collected as other fines are collected. [P L L 1888 art 4 s 399 as reenacted by 1898 C 123 s 506]

STREET RAILWAYS IN BALTIMORE [1]

HOURS OF LABOR

Twelve hours a day; contracts for longer hours prohibited.—No street railway company incorporated under the laws of this State, and no officer, agent or servant of such corporation, and no person or firm owning or operating any line or lines of street railways within the limits of this State, and no agent or servant of such firm or person shall require, permit or suffer its, his or their conductors or drivers, or any of them, or any employees in its, his or their service, or under his, its or their control, to work more than twelve hours during each or any day of twenty-four hours, and shall make no contract or agreement with such employees, or any of them, providing that they

[1] Article 4 of the Public Local Laws of 1888 as repealed and reenacted by 1898, chapter 123, is devoted to local laws applying to Baltimore city.

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or he shall work for more than twelve hours during each or any day of twenty-four hours. [P L L 1888 art 4 as reenacted by 1898 C 123 s 793]

Forfeiture of charter for violation.—Any corporation which shall in any manner violate any of the provisions of the preceding section shall be deemed to have misused or abused its corporate powers and franchises, and the attorney general of the State, upon the application in writing, made by any citizen of this State, accompanied by sufficient proof of such violation, shall forthwith, without further authorization, institute proceedings for the forfeiture of the charter of such corporation, by petition in the name of the State, in the manner provided by the laws of this State for the enforcement of the forfeiture of the charter of any corporation which has abused or misused its corporate powers or franchises. [P L L 1888 art 4 as reenacted by 1898 C 123 s 794]

Penalty.—If any corporation, or any officer, agent or servant of such corporation, or any person or any firm managing or conducting any street railway in this State, or any agent or servant of such person or firm, shall do any act in violation of the provisions of section 793, it, he, or they shall be deemed to have been guilty of a misdemeanor, and shall, on conviction thereof in a court of competent jurisdiction, be fined one hundred dollars for each offense so committed, together with the costs of such prosecution. [P L L 1888 art 4 as reenacted by 1898 C 123 s 795]

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MASSACHUSETTS

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***Note.*—[*The duties and powers relating to enforcement of labor laws heretofore exercised by the State board of health, factory inspectors, etc., have been transferred by section 5, chapter 726, Acts of 1912, to the State board of labor and industries. In every case the new enforcing authority has been indicated in the text by an insertion in brackets, the former enforcing powers being omitted.*]

EDUCATIONAL REQUIREMENTS

EVENING SCHOOLS

Cities and towns where twenty or more educational certificates are issued to maintain evening schools.—Any town may, and every city or town in which there are issued during the year from September first to August thirty-first certificates authorizing the employment of twenty or more persons who do not possess the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended [R L 1902 C 44 s 1 as amended by 1913 C 779 s 1], shall maintain during the following

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school year an evening school or schools for the instruction of persons over fourteen years of age in orthography, reading, writing, the English language and grammar, geography, arithmetic, industrial drawing, both free hand and mechanical, the history of the United States, physiology and hygiene and good behavior. Such other subjects may be taught in such schools as the school committee considers expedient. [Revised Laws 1902 Chapter 42 section 11 as amended by 1914 Chapter 590]

SCHOOL CENSUS

Enumeration of children from 5 to 16 and of illiterate minors over 16; penalty for withholding information or making false statements.—The school committee of each city and town shall annually ascertain and record the names, ages and such other information as may be required by the board of education, of all children between five and seven years of age, of all children between seven and fourteen years of age, of all children between fourteen and sixteen years of age, and of all minors over sixteen years of age who can not read at sight and write legibly simple sentences in the English language, residing in its city or town on the first day of September, and such record shall be completed on or before the fifteenth day of November. Whoever, having under his control a minor over five years of age, withholds information sought by a school committee or its agents under the provisions of this section or makes a false statement relative thereto, shall be punished by a fine of not more than fifty dollars. [R L 1902 C 43 s 3 as amended by 1914 C 443]

COMPULSORY SCHOOL ATTENDANCE

Duties of teachers.—The several school teachers shall faithfully keep the registers of attendance daily, and make due return thereof to the school committee or to such person as the committee may designate. No teacher of a public school shall receive payment for services for the two weeks preceding the close of any term until the register, properly filled up and completed, is so returned. All registers shall be kept at the schools, and at all times during school hours shall be open to the inspection of the school committee, the superintendent of schools, the truant officers and the commissioner of education and agents of the board of education. * * * [R L 1902 C 43 s 11 as amended by 1912 C 368]

Children from 7 to 14; from 14 to 16 if not regularly employed; exceptions.—Every child between seven and fourteen years of age, every child under sixteen years of age who does not possess such ability to read, write and spell in the English language as is required for the completion of the fourth grade of the public schools of the city or town in which he resides, and every child under sixteen years of age who has not received an employment certificate as provided in this act [1909 C 514 as amended by 1913 C 779] and is not engaged in some regular employment or business for at least six hours per day or has not the written permission of the superintendent of schools of the city or town in which he resides to engage in profitable employment at home, shall attend a public day school in said city or town or some other day school approved by the school committee, during the entire time the public schools are in session, * * * but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable, or who is being otherwise instructed in a manner approved in advance by the superintendent of schools or the school committee. The superintendent of schools or teachers in so far as authorized by said superintendent or by the school committee, may excuse cases of necessary absence for other causes not exceeding seven day sessions or fourteen half-day sessions in any period of six months. For the purposes of this section, school committees shall approve a private school only when the instruction in all the studies required by law is in the English language, and when they are satisfied that such instruction equals in thoroughness and efficiency, and in the progress made therein, the instruction in the public schools in the same city or town; but they shall not refuse to approve a private school on account of the religious teaching therein. [R L 1902 C 44 s 1 as amended by 1913 C 779 s 1 and by 1915 C 81 s 1]

Penalty for parent, employer, etc.—Every person having under his control a child as described in section one shall cause him to attend school as therein required, and, if he fails for seven day sessions or fourteen half-day sessions within any period of six months while such control obtains, to cause such child so to attend school, he shall, upon complaint by an attendance officer and conviction thereof, be punished by a fine of not more than twenty dollars, and no physical or mental condition which is capable of correction, or which renders the child a fit subject for special instruction at public charge in institutions other than public day schools, shall avail as defense

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under the provisions of this or the preceding section, unless it shall be made to appear that the defendant has employed all reasonable measures for the correction of the condition and the suitable instruction of the child. Whoever induces or attempts to induce a child to absent himself unlawfully from school, or employs or harbors a child while school is in session, shall be punished by a fine of not less than ten nor more than fifty dollars. [R L 1902 C 44 s 2 as amended by 1913 C 779 s 2 and by 1915 C 81 s 2]

Enforcement: duties of attendance officers.—Attendance officers shall inquire into all cases arising under the provisions of sections one, two, * * * of chapter forty-four [R L 1902 C 44 s 1, 2] and * * * of sections sixty-one, sixty-two, sixty-three or sixty-six of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine [1909 C 514 s 61–63, 66], and may make complaints and serve legal processes issued under the provisions of this chapter. They shall have oversight * * * of minors licensed by the school committee under the provisions of chapter four hundred and nineteen of the acts of the year nineteen hundred and ten [1910 C 419 amending R L 1902 C 65] and subsequent amendments thereof * * *. [R L 1902 C 46 s 13 as amended by 1913 C 779 s 12]

STREET TRADES

PERMITS

Licenses for bootblacks, newsboys, peddlers, etc.; penalty for minor, parent, employer, etc.; enforcement.—The mayor and aldermen or selectmen may make regulations relative to the exercise of the trade of bootblacking by minors and to the sale by minors of any goods, wares or merchandise, the sale of which is permitted by section 15 [includes newsboys], and may prohibit such sale[s] or such trade, or may require a minor to obtain from them a license therefor to be issued on terms and conditions prescribed in such regulations: *Provided*, That in the case of persons under the age of fourteen years in the cities of the Commonwealth the foregoing powers shall be vested in and exercised by the school committees of said cities. A minor who sells such articles or exercises such trade without a license if one is required or who violates the conditions of his license or any of the provisions of said regulations shall be punished by a fine of not more than ten dollars for each offense. Any person who, having a minor under his control, knowingly permits him to violate the provisions of this act, and any person who procures or employs a minor to violate the provisions of this act, and any person who either for himself or as agent of any other person or of any corporation knowingly furnishes or sells to any minor any of the articles above referred to with knowledge that said minor intends to sell said articles in violation of the provisions of this act, and after having received written notice from the school committee that the minor is unlicensed, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months. [Attendance] and police officers shall enforce the provisions of this chapter. [R L 1902 C 65 s 17 as amended by 1910 C 419]

NOTE.—[The provisions of section 18, chapter 65 of the Revised Laws, 1902, relating to penalties for violation of said chapter, are apparently superseded by those of section 17, chapter 65 of the Revised Laws, 1902, as amended by chapter 419 of the Acts of 1910.] [R L 1902 C 65 s 18]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

ENFORCEMENT

Duties and powers of inspectors.—The [inspectors of the State board of labor and industries] shall, except as otherwise provided in chapters one hundred and four [superseded by 1913 C 655 s 20, 52–54 so far as it relates to women and minors] * * * enforce the provisions thereof and all other provisions of law relative to the employment of women and minors in manufacturing, mechanical and mercantile establishments, the employment of children, young persons or women in factories or workshops, the lighting and the ventilation of factories or workshops, the keeping of them clean, and the securing of proper sanitary provisions therein, and the making of clothing in unsanitary conditions. For such purposes, said inspectors may enter all buildings and parts thereof which are subject to the provisions of said chapters and examine the methods of protection from accident, the means of escape from fire, the sanitary provisions, the lighting and the means of ventilation, and may make investigations as to the employment of children, young persons and women. [R L 1902 C 108 s 8 as amended by 1907 C 413]

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IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies and others forbidden to send girls to immoral places, etc.; penalty.—Whoever knowingly procures, entices, sends, or aids or abets in procuring, enticing, or sending a woman or girl to practice prostitution or to enter as an inmate or a servant, a house of ill fame or other place resorted to for the purpose of prostitution, whether within or without the State, shall for each offense be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than two years. Whoever as proprietor or keeper of an intelligence or employment office, either personally or through an agent or employee, procures or sends a woman or girl to enter as aforesaid a house of ill fame or other place resorted to for the purpose of prostitution, the character of which on reasonable inquiry could have been ascertained by him, shall for each offense be punished by a fine of not less than fifty nor more than two hundred dollars. [R L 1902 C 212 s 8 as amended by 1910 C 424 s 3]

Distribution of obscene literature, etc., by minors prohibited; penalty.—Whoever * * * employs a minor to sell, lend, give away or distribute or, having the custody or control of a minor, permits him to sell, lend, give away or distribute any such book, pamphlet, magazine, newspaper or printed paper [devoted to the publication or principally made up of criminal news, police reports or accounts of criminal deeds, or pictures and stories of lust or crime], shall be punished by imprisonment for not more than two years or by a fine of not less than one hundred nor more than one thousand dollars. [R L 1902 C 212 s 21]

STREET TRADES

MINIMUM AGE

Sales upon street cars by children under 10 prohibited; penalty for street railway company.—If a street railway company, its agent or servant, allows a child under the age of 10 years to enter upon or into any of its cars for the purpose of selling newspapers or other articles therein or offering them for sale, it shall forfeit fifty dollars for each offense, which shall be recovered by any person by an action brought within three months after the offense has been committed. [1906 C 463 Part III s 89]

ALL REGULATED OCCUPATIONS

EMPLOYMENT CERTIFICATES

Appointment of school physicians.—The school committee of every city and town in the Commonwealth shall appoint one or more school physicians, shall assign one to each public school within its city or town, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act; and shall assign one or more to perform the duty of examining children who apply for health certificates in accordance with this act: *Provided however*, That in cities wherein the board of health is already maintaining or shall hereafter maintain substantially such medical inspection as this act requires, the board of health shall appoint and assign the school physician. [1906 C 502 s 1 as amended by 1910 C 257]

Duties of school physicians; examination for health certificates.—Every school physician shall make a prompt examination and diagnosis of all children referred to him as hereinafter provided, and such further examination of teachers, janitors and school buildings as in his opinion the protection of the health of the pupils may require. Every school physician who is assigned to perform the duty of examining children who apply for health certificates shall make a prompt examination of every child who wishes to obtain an age and schooling certificate, as provided in section sixty of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine [1909 C 514 s 60 as amended by 1913 C 779 s 18], and who presents to said physician an employment ticket, as provided in said section, and the physician shall certify in writing whether or not in his opinion such child is in sufficiently sound health and physically able to perform the work which the child intends to do. [1906 C 502 s 2 as amended by 1910 C 257]

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FACTORIES

HEALTH OF MINORS

State board of labor and industries to investigate health of minors employed in factories.—Every [inspector of the State board of labor and industries] * * * shall inform himself concerning the health of all minors employed in factories within his district, and, whenever he may deem it advisable or necessary, he shall call the ill health or physical unfitness of any minor to the attention of his or her parents or employers and of the [State board of labor and industries]. [1907 C 537 s 3]

Enforcement: duties of State inspectors.—The [inspectors of the State board of labor and industries] shall, under the direction of [said board] and in place of the inspection department of the district police, enforce the provision of * * * [1909 C 514 s 72, 79, 83, 84]. [1907 C 537 s 5]

ALL REGULATED OCCUPATIONS

DEFINITIONS

Terms employed in labor laws.—The following words and phrases as used in all laws relative to the employment of labor shall, unless a different meaning is plainly required by the context, have the following meanings:

"Bleaching works" shall mean any premises in which the process of bleaching yarn or cloth of any material is carried on.

"Child" or "minor" shall mean a person under eighteen years of age, except that in regard to the compulsory attendance of illiterate minors at day or evening schools, the word "minor" shall mean a person under the age of twenty-one years.

"Dyeing works" shall mean any premises in which the process of dyeing yarn or cloth of any material is carried on.

"Factory" shall mean any premises where steam, water or other mechanical power is used in aid of any manufacturing process there carried on.

"Glass works" shall mean any premises in which the manufacture of glass is carried on.

"Iron works" shall mean a mill, forge or other premises in or upon which any process is carried on for converting iron into malleable iron, steel or tin plate, or for otherwise making or converting steel.

"Letterpress establishments" shall mean any premises in which the process of letterpress printing is carried on.

"Manufacturing establishments" shall mean any premises, room or place used for the purpose of making, altering, repairing, ornamenting, finishing or adapting for sale any article or part of an article.

"Mechanical establishments" shall mean any premises, other than a factory as above defined, in which machinery is employed in connection with any work or process carried on therein.

"Mercantile establishments" shall mean any premises used for the purposes of trade in the purchase or sale of any goods or merchandise, and any premises used for the purposes of a restaurant or for publicly providing and serving meals.

"Paper mills" shall mean any premises in which the manufacture of paper is carried on.

"Person" shall mean an individual, corporation, partnership, company or association.

"Print works" shall mean any premises in which is carried on the process of printing figures, patterns or designs upon cotton, linen, woolen, worsted or silken yarn or cloth, or upon any woven or felted fabric which is not paper.

"Public building" shall mean any building or premises used as a public or private institution, church, theater, public hall, place of public entertainment, resort or assemblage.

"Schoolhouse" shall mean any building or premises in which public or private instruction is afforded to not less than ten pupils at one time.

"Woman" shall mean a woman eighteen years of age or over.

"Workshop" shall mean any premises, room or place, which is not a factory as above defined, wherein manual labor is exercised by way of trade or for purposes of gain in or incidental to a process of making, altering, repairing, ornamenting, finishing or adapting for sale any article or part of an article, and to which or over which premises, room or place the employer of the persons working therein has the right

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of access or control; but the exercise of such manual labor in a private house or private room by the family dwelling therein or by any of them or if a majority of the persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition.

"Young person" shall mean a person of the age of fourteen years and under the age of eighteen years. [1909 C 514 s 17 as amended by 1912 C 191]

REGULATED OCCUPATIONS

PENALTY

General penalty.—Whoever violates a provision of this act for which no specific penalty is provided shall be punished by a fine of not more than one hundred dollars. [1909 C 514 s 36]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

HOURS OF LABOR

Ten hours a day and 54 a week for boys under 18 and girls of any age; exceptions; hours to be posted.[1]—No child under eighteen years of age and no woman shall be employed in laboring in any factory or workshop, or in any manufacturing, mercantile, mechanical establishment, telegraph office or telephone exchange, or by any express or transportation company, more than ten hours in any one day; and in no case shall the hours of labor exceed fifty-four in a week except that in manufacturing establishments where the employment is by seasons, the number of such hours in any week may exceed fifty-four, but not fifty-eight: *Provided*, That the total number of such hours in any year shall not exceed an average of fifty-four hours a week for the whole year, excluding Sundays and holidays; and if any child or woman shall be employed in more than one such place the total number of hours of such employment shall not exceed fifty-four hours in any one week. Every employer, except those employers hereinafter designated, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating the number of hours' work required of them on each day of the week, the hours of beginning and stopping work, and the hours when the time allowed for meals begins and ends or, in the case of mercantile establishments and of establishments exempted from the provisions of sections sixty-seven and sixty-eight [1909 C 514 s 67, 68], the time, if any, allowed for meals. The printed forms of such notices shall be provided by the State board of labor and industries, after approval by the attorney-general. The employment of any such person at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost on a previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be authorized until a written report of the day and hour of its occurrence and its duration is sent to the State board of labor and industries, nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday. Every employer engaged in furnishing public service or in any other kind of business in respect to which the State board of labor and industries shall find that public necessity or convenience requires the employment of children under the age of eighteen or women by shifts during different periods or parts of the day, shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the amount of time allowed for meals. Printed forms of such notices shall be provided by the State board of labor and industries, after approval by the attorney-general. A list by name of the employees, stating in which shift each is employed, shall be kept on file at each place of employment for inspection by employees and by officers charged with the enforcement of the law. In cases of extraordinary emergency as defined by section one of chapter four hundred and ninety-four of the acts of the year nineteen hundred and eleven [Danger to property, life, public safety or public health only—1911 C 494 s 1] or extraordinary public requirement, the provisions of this act shall not

[1] See sections 9 and 16, chapter 831, of the Acts of 1913, for provisions regulating hours of labor for boys under 18 and girls under 21, pp. 25, 26.

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apply to employers engaged in public service or in other kinds of business in which shifts may be required as hereinbefore stated; but in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the State board of labor and industries. [1909 C 514 s 48 as amended by 1915 C 57]

NOTE.—[Section 47, chapter 514 of the Acts of 1909, relating to hours of labor for women and children in mercantile establishments, is apparently superseded by section 48, chapter 514 of the Acts of 1909 as amended by chapter 758 of the Acts of 1913, quoted above, which also apparently supersedes section 1, chapter 313 of the Acts of 1911, as amended by chapter 452 of the Acts of 1912, relating to the hours of labor for women and children in workshops.]

Court decisions.—This section was held constitutional.—Commonwealth *v.* Riley, 210 Mass. 387, 97 N. E. 367, 232 U. S. 671 (1914). A former section on this subject was also held constitutional.—Commonwealth *v.* Hamilton Mfg. Co., 120 Mass. 383 (1874).

Under a former act it was held that the statute applied only to such persons as were permanently employed in the designated establishments.—Commonwealth *v.* Osborn Mill, 130 Mass. 33 (1880).

Penalty for parent, employer, etc.;[1] *affidavit to be evidence of age.*—A parent or guardian who permits a minor under his control to be employed in violation of either of the two preceding sections [s 47, 48], and any person who, either for himself or as superintendent, overseer or agent for another, employs any person in violation of the provisions of either of said sections, or fails to post the notice required by either of the preceding sections, or makes a false report of the stopping of machinery under the provisions of the preceding section, shall be punished by a fine of not less than fifty nor more than one hundred dollars. A certificate of the age of a minor made and sworn to by him and by his parent or guardian at the time of his employment in a mercantile, manufacturing or mechanical establishment shall be prima facie evidence of his age in any prosecution under the provisions of this section. [1909 C 514 s 49]

MANUFACTURING ESTABLISHMENTS

HOURS OF LABOR

Night work prohibited for minors and women; penalty.—No person, and no agent or officer of a person or corporation, shall employ a woman or minor in any capacity for the purpose of manufacturing between ten o'clock at night and six o'clock in the morning. No person, and no agent or officer of a person or corporation engaged in the manufacture of textile goods, shall employ a woman or a minor before six o'clock in the morning or after six o'clock in the evening. Whoever violates the provisions of this section shall be punished by a fine of not less than twenty nor more than fifty dollars for each offense. [1909 C 514 s 51]

NOTE.—[The provisions of the above section—1909 C 514 s 51—in so far as they refer to boys under 18 and girls under 21, appear to be superseded by the provisions of sections 8 and 9, chapter 831 of the Acts of 1913.]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

MINIMUM AGE AND HOURS OF LABOR

NOTE.—[Section 56, chapter 514 of the Acts of 1909 is quoted as section 1, chapter 831 of the Acts of 1913, by which it was amended.] [1909 C 514 s 56 as amended by 1913 C 831 s 1]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 16; exception; certificates to be returned to issuing office.—No child between fourteen and sixteen years of age shall be employed or be permitted to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment unless the person, firm or corporation employing such child procures and keeps on file accessible to the attendance officers of the city or town, to agents of the board of education, and to the State board of labor and industries or its authorized agents or inspectors, the employment certificate as hereinafter provided issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building in which such children are employed: *Provided however*, That children who are over fourteen but under sixteen years of age shall be permitted to work in mercantile establishments on Saturdays between the hours of seven in the

[1] See section 23, chapter 831, of the Acts of 1913, for penalty for permitting minors to work, p. 28.

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morning and six in the evening, without such certificate. On termination of the employment of a child whose employment certificate is on file, said certificate shall be returned by the employer within two days after said termination to the office of the superintendent of schools from which it was issued. [1909 C 514 s 57 as amended by 1913 C 779 s 15]

School authorities to issue certificates; exception; age, school, and health records and promise of employment required.—An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized in writing by the school committee, of the city or town where the child to whom it is issued resides during his employment, or in case the child resides outside the Commonwealth, of the city or town in which the child is to be employed: *Provided*, That no member of a school committee or other person authorized as aforesaid shall have authority to issue such certificate for any child then in, or about to enter, such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee. The person issuing employment certificates shall in each case, before issuing a certificate, receive, examine, approve and file the following papers, duly executed:—

(1) A pledge or promise signed by the employer or by an authorized manager or superintendent, setting forth the character of the employment, the number of hours per day during which the child is to be regularly employed and the name and address of the employer, in which pledge or promise the employer agrees to employ the child in accordance with the provisions of this act, and to return the employment certificate as provided in section fifty-seven.

(2) The school record of such child, properly filled out and signed as hereinafter provided.

(3) A certificate signed by a school or family physician, or by a physician appointed by the school committee, stating that the child has been thoroughly examined by said physician and, in his opinion, is in sufficiently sound health and physically able to perform the work which the child intends to do.

(4) Evidence of age showing that the child is fourteen years of age, which shall consist of one of the following proofs of age: (a) A birth certificate, or a duly attested transcript thereof, made by a registrar of vital statistics or other officer charged with the duty of recording births. (b) A baptismal certificate, or a duly attested transcript thereof, showing the age and date of baptism of the child. (c) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may accept in lieu thereof a passport or a duly attested immigration record, or transcript thereof, showing the age of the child, or other official or religious record of the child's age: *Provided*, That it shall appear to the satisfaction of said person that the same is good and sufficient evidence of the child's age. (d) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may accept in lieu thereof a record of age as given on the register of the school which the child first attended in the Commonwealth: *Provided*, That such record was kept for at least two years during the time when such child attended school. (e) In case none of the aforesaid proofs of age is obtainable, and only in such case, the person issuing employment certificates may receive the signed statement of the school physician, or of the physician appointed by the school committee, stating that, after examination, it is the opinion of such physician that the child is at least fourteen years of age. Such physician's statement shall be accompanied by a statement signed by the child's parent, guardian or custodian, or in case such child has no parent, guardian or custodian, the signed statement of the next adult friend. Such signed statement shall contain the name, date and place of birth and residence of the child, and shall certify that the parent, guardian, custodian or next friend signing the statement is unable to produce any of the proofs of age specified in this section. Such statement shall be signed in the presence of the person issuing employment certificates by the parent, guardian, custodian, or next friend. The person issuing employment certificates may, before issuing a certificate, require the parent, guardian, custodian, or next adult friend of the child to appear and approve in writing the issuance of said certificate. [1909 C 514 s 58 as amended by 1913 C 779 s 16]

Method of issuing and contents of school record.—The school record required by section sixteen of this act [1909 C 514 s 58 as amended by 1913 C 779 s 16] shall be filled out and signed by the principal or teacher in charge of the school which the child last attended and shall be furnished only to a child who, after due examination and investigation, is found to be entitled thereto. Said school record shall state the grade last completed by such child and the studies pursued in completion thereof.

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It shall state the number of weeks during which such child has attended school during the twelve months next preceding the time of application for said school record. It shall also give the name, date of birth, and the residence of the child as shown on the records of the school and the name of the parent, guardian or custodian. In case it is found to be impossible to obtain said school record from the principal or teacher in charge of the school which such child last attended, the requirement of a school record may be waived. No such school record shall be issued or accepted and no employment certificate shall be granted unless the child possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws as amended by section one of this act [R L 1902 C 44 s 1 as amended by 1913 C 779 s 1]. No such school record shall be issued or accepted unless the child has regularly attended the public schools or other lawfully approved schools for not less than one hundred and thirty days after becoming thirteen years of age: *Provided however*, That the school record may be accepted in the case of a person who has been an attendant at a public day school or other lawfully approved school for a period of not less than seven years, if in the opinion of said superintendent such person is mentally incapable of acquiring the educational qualifications herein prescribed: *And provided further*, That the superintendent of schools shall have authority to suspend this requirement in any case when, in his opinion, the interests of the child will best be served by such suspension. [1909 C 514 s 59 as amended by 1913 C 779 s 17 and by 1914 C 580]

Contents of employment certificate and records of issuing office.—The employment certificate required by this act shall state the name, sex, date and place of birth and the place of residence of the child and describe the color of the hair and eyes and any distinguishing facial marks of the child. It shall certify that the child named in such certificate has personally appeared before the person issuing the certificate and has been examined and found to possess the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended by section one of this act [R L 1902 C 44 s 1 as amended by 1913 C 779 s 1], and that all the papers required by section fifty-eight [1909 C 514 s 58 as amended by 1913 C 779 s 16] have been duly examined, approved and filed and that all the conditions and requirements for issuing an employment certificate have been fulfilled. It shall state the grade last completed by said child. Every such certificate shall be signed in the presence of the person issuing the same by the child in whose name it is issued. It shall state the name of the employer for whom, and the nature of the employment in which, the certificate authorizes the child to be employed. It shall bear a number, show the date of its issue and shall be signed by the person issuing it. No fee shall be exacted for an employment certificate or for any of the papers required by this act. Duplicate employment certificates shall not be issued until it shall appear to the satisfaction of the person authorized to issue certificates that the original certificate has been lost. A record giving all the facts contained on every employment certificate issued shall be filed in the office issuing the same, together with the papers required by section fifty-eight as amended. A record shall also be kept of the names and addresses of all children to whom certificates have been refused, together with the names of the schools which said children should attend and the reasons for refusal. All the aforesaid records and papers shall be preserved until such children, if living, shall have become sixteen years of age. Such records and statistics concerning the issuance of employment certificates as may be prescribed by the board of education shall be kept and shall be open to the inspection of said board, its officers or agents. The blank certificates and other papers required in connection with the issuing of employment certificates and educational certificates under this act shall be designed by and furnished to the local school committees by the State board of labor and industries after conference with the board of education, and the approval of the forms thereof by the attorney-general. Said certificates and papers may bear such further and explanatory matter as may be needed to facilitate the enforcement of this act or to comply with future legislative requirements. [1909 C 514 s 60 as amended by 1913 C 779 s 18]

Penalty for employing or permitting employment under 16 without certificate, for forging or presenting forged proof of age, for certifying to false statement in signing certificate, and for altering certificate.—Whoever employs a person under the age of sixteen years, and whoever procures or, having under his control a person under sixteen years of age, permits such person to be employed in violation of the provisions of sections fifty-six or fifty-seven of this act [1909 C 514 s 56, 57], shall for each offense be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment for not more than thirty days; and whoever continues to employ a

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person under sixteen years of age in violation of the provisions of either of said sections [s 56, 57], after being notified thereof by a school attendance officer or by an inspector appointed by the State board of labor and industries, shall for every day thereafter while such employment continues be punished by a fine of not less than fifty nor more than two hundred dollars, or by imprisonment for not more than sixty days; and whoever forges, or procures to be forged, or assists in forging a certificate of birth or other evidence of the age of such person, and whoever presents or assists in presenting a forged certificate or evidence of birth to the superintendent of schools or to a person authorized by law to issue certificates, for the purpose of fraudulently obtaining the employment certificate required by this act, shall be punished by a fine of not less than ten nor more than five hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. Whoever, being authorized to sign an employment certificate, knowingly certifies to any materially false statement therein shall be punished by a fine of not less than ten nor more than two hundred dollars. Whoever, without authority, alters an employment certificate after the same is issued shall be punished by a fine of ten dollars. [1909 C 514 s 61 as amended by 1915 C 70]

ENFORCEMENT

Duties and powers of attendance officers and of inspectors of State board of labor and industries.—Attendance officers may visit the factories, workshops, manufacturing, mechanical and mercantile establishments, theaters, and places of public exhibition in their several cities and towns and ascertain whether any children are employed therein contrary to the provisions of this act and shall report in writing any cases of such illegal employment to the superintendent of schools or the school committee and to the State board of labor and industries or its authorized officers or agents. Inspectors appointed by the State board of labor and industries shall visit all factories, workshops, manufacturing, mechanical and mercantile establishments within their respective districts, and ascertain whether any children are employed therein contrary to the provisions of this act, and shall enter complaint against whomever is found to have violated any of said provisions. * * * [1909 C 514 s 62 as amended by 1913 C 779 s 20]

Powers of attendance officers.—An attendance officer shall apprehend and take to school, without a warrant, any child under the age of twenty-one years who is employed in any factory, workshop, manufacturing, mechanical or mercantile establishment in violation of the provisions of this act, or who is employed in any theater or place of public exhibition contrary to the provisions of this act, and such attendance officer shall forthwith report to the police, district or municipal court or trial justice within whose judicial district the illegal employment occurs, the evidence in his possession relating to the illegal employment of any child so apprehended, and shall make complaint against whomever the court or trial justice may direct. * * * [1909 C 514 s 63 as amended by 1913 C 779 s 21]

Powers of inspectors, agents of board of education, and attendance officers; failure to produce certificates or lists evidence of illegal employment; penalty for retaining certificate.—Inspectors appointed by the State board of labor and industries, agents of the board of education and attendance officers may require that the employment or educational certificates and lists of children who are employed in factories, workshops, manufacturing, mechanical or mercantile establishments shall be produced for their inspection. A failure to produce to any person authorized by this section who requests the same an employment or educational certificate or list required by law shall be prima facie evidence of the illegal employment of any person whose certificate is not produced or whose name is not so listed. A corporation or other employer, or any agent or officer thereof, who retains an employment or educational certificate in violation of the provisions of this act shall be punished by a fine of not less than ten nor more than one hundred dollars. [1909 C 514 s 64 as amended by 1913 C 779 s 22]

Powers of police, district and municipal courts, etc.—Police, district and municipal courts and trial justices shall have jurisdiction of offenses arising under the provisions of the four preceding sections. A summons or warrant issued by any such court or justice may be served, at the discretion of the court or magistrate, by an inspector of [the State board of labor and industries], or by a truant officer, or by any officer qualified to serve criminal process. [1909 C 514 s 65]

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EDUCATIONAL CERTIFICATES

Educational certificates required from 16 to 21; method of issuing and contents; certificate to be returned to issuing office; compulsory evening school attendance; penalty for employer, parent, etc.—No child who is over sixteen and under twenty-one years of age shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment unless his employer procures and keeps on file an educational certificate showing the age of the child and his ability or inability to read and write as hereinafter provided. Such certificates shall be issued by the person authorized by this act to issue employment certificates. The person authorized to issue such educational certificates shall, so far as is practicable, require the proof of age stated in section fifty-eight [1909 C 514 s 58 as amended by 1913 C 779 s 16]. He shall examine the child and certify whether or not he possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended [1902 C 44 s 1 as amended by 1913 C 779 s 1]. Every such certificate shall be signed in the presence of the person issuing the same by the child in whose name it is issued. Every employer of such children shall keep their educational certificates accessible to any officer authorized to enforce the provisions of this act and shall return said certificates to the office from which they were issued within two days after the date of the termination of the employment of said children. If the educational certificate of any child who is over sixteen and under twenty-one years of age fails to show that said child possesses the educational qualifications enumerated in section one of chapter forty-four of the Revised Laws, as amended, then no person shall employ such child while a public evening school is maintained in the city or town in which the child resides, unless such child is a regular attendant at such evening school or at a day school, and presents to his employer each week a school record of such attendance. When such record shows unexcused absences, such attendance shall be deemed to be irregular and insufficient. The person authorized to issue educational certificates, or teachers acting under his authority, may, however, excuse justifiable absence. Whoever employs a child in violation of the provisions of this section shall forfeit not more than one hundred dollars for each offense, to the use of the evening schools of such city or town. A parent, guardian or custodian who permits a child to be employed in violation of the provisions of this section shall forfeit not more than twenty dollars, (to the use of the evening schools of such city or town). [1909 C 514 s 66 as amended by 1913 C 779 s 23]

FACTORIES, WORKSHOPS, ETC.

HOURS OF LABOR

Meal hours of women and young persons; exceptions.—Women and young persons, five or more in number, who are employed in the same factory shall be allowed their meal times at the same hour, except that any such persons who begin work in such factory at a later hour in the morning than other such persons employed therein may be allowed their meal times at a different hour; but no such persons shall be employed during the regular meal hour in tending the machines or doing the work of any other women or young persons in addition to their own. [1909 C 514 s 67]

Maximum of 6 consecutive hours for women and young persons; exceptions.—No woman or young person shall be employed for more than six hours at one time in a factory or workshop in which five or more such persons are employed without an interval of at least half an hour for a meal; but such person may be so employed for not more than six and one-half hours at one time if such employment ends not later than one o'clock in the afternoon and if he or she is then dismissed from the factory or workshop for the remainder of the day; or for not more than seven and one-half hours at one time if he or she is allowed sufficient opportunity for eating a lunch during the continuance of such employment and if such employment ends not later than two o'clock in the afternoon, and he or she is then dismissed from the factory or workshop for the remainder of the day. [1909 C 514 s 68]

Application of act; exemptions.—The provisions of the two preceding sections shall not apply to iron works, glass works, paper mills, letterpress establishments, print works, bleaching works or dyeing works; and the [State board of labor and industries], if it is proved to [its] satisfaction that in any other class of factories or workshops it is necessary, by reason of the continuous nature of the processes or of special circumstances affecting such class, to exempt it from the provisions of the two preceding sections and that such exemption can be made without injury to the

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health of the women or young persons affected thereby, may, with the approval of the governor, issue a certificate granting such exemption, public notice whereof shall, without expense to the Commonwealth, be given in the manner directed by said [board]. [1909 C 514 s 69]

Responsibility of employer for work during meal hours.—If a minor or a woman shall, without the orders, consent or knowledge of the employer or of a superintendent, overseer or other agent of the employer, labor in a manufacturing or mechanical establishment, factory or workshop during a part of any time allowed for meals in such establishment, factory or workshop, according to the notice required by section forty-eight [1909 C 514 s 48 as amended by 1913 C 758], and if a copy of such notice was posted in a conspicuous place in the room where such labor was performed with a rule of the establishment, factory or workshop forbidding such minor or woman to labor during such time, then neither the employer nor a superintendent, overseer or other agent of the employer shall be held responsible for such labor. [1909 C 514 s 70]

Penalty for employer.—Whoever either for himself or as a superintendent, overseer or agent violates the provisions of the four preceding sections shall be punished by a fine of not less than fifty nor more than one hundred dollars. [1909 C 514 s 71]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR WOMEN AND CHILDREN

Seats to be provided and their use permitted; exceptions; penalty.—Whoever employs women or children in any manufacturing, mechanical or mercantile establishment shall provide for their use and permit them to use suitable seats whenever they are not necessarily engaged in the active duties of their employment, and shall also provide for their use and permit them to use suitable seats while they are at work, except in such cases and at such times as the work can not properly be performed in a sitting position. Whoever violates the provisions of this section shall be punished by a fine of not less than ten nor more than thirty dollars for each offense. [1909 C 514 s 72 as amended by 1912 C 96]

ELEVATORS

MINIMUM AGE

Operation or charge of freight or passenger elevator prohibited under 16, and if running at certain speed prohibited under 18; penalty.—No elevator for the carriage of freight or passengers shall be operated by or placed in charge of any person under sixteen years of age, and all elevators for the carriage of freight or passengers running at a speed of more than one hundred feet a minute shall be operated by competent persons not less than eighteen years of age and no other person shall operate or have the care or charge of such an elevator. Any person, firm or corporation violating any provision of this section by operating or causing an elevator to be operated or to be taken care or charge of in any manner contrary to its provisions shall be punished by a fine of not less than twenty-five nor more than one hundred dollars for each offence. [1909 C 514 s 74]

Court decision.—Where a boy under 18 was killed while operating an elevator in violation of the statute, such violation was no defense against a recovery.—Malloy *v.* American Hide & Leather Co., 107 C. C. A. 646, 185 Fed. 776 (1911).

PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 15 in singing, dancing, theatrical exhibitions, etc., prohibited; exceptions; penalty.—No person shall employ, exhibit or sell, apprentice or give away, a child under fifteen years of age for the purpose of employing or exhibiting him in dancing on the stage, playing on musical instruments, singing, walking on a wire or rope, or riding or performing as a gymnast, contortionist or acrobat in a circus, theatrical exhibition or in any public place, or cause, procure or encourage such child to engage therein; but the provisions of this section shall not prevent the education of children in vocal and instrumental music or dancing or their employment as musicians in a church, chapel, school, or school exhibition, or prevent their taking part in any festival, concert or musical exhibition upon the special written permission of the mayor and aldermen of a city or of the selectmen of a town. Whoever violates

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the provisions of this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months. [1909 C 514 s 76]

License to be refused theatrical exhibitions employing children under 15; exceptions.—A license shall not be granted for a theatrical exhibition or public show in which children under fifteen years of age are employed as acrobats or contortionists or in any feats of gymnastics or equestrianism, or in which such children who belong to the public schools are employed or allowed to take part as performers on the stage in any capacity, or if, in the opinion of the board authorized to grant licenses, such children are employed in such a manner as to corrupt their morals or impair their health; but the provisions of this section shall not prevent the granting of special permission authorized by the preceding section. [1909 C 514 s 77]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

TOILETS FOR GIRLS

Separate toilets for the sexes.—In every factory, workshop, manufacturing, mechanical, mercantile or other establishment, there shall be provided suitable, adequate and convenient water-closets and washing facilities, separate for each sex and plainly so designated, of such number, in such location and so constructed, lighted, ventilated, arranged and maintained as may be determined by such reasonable rules and regulations as the State board of labor and industries may adopt with reference thereto. No person shall be allowed to use a closet or privy which is provided for the use of persons of the opposite sex. If any such establishment is so located that a connection with a sewer system is, in the opinion of the said board, impossible or impracticable, it shall provide such suitable toilet and washing facilities as may be required by the said board. [1909 C 514 s 79 as amended by 1914 C 726]

FACTORIES AND WORKSHOPS

HEALTH OF MINORS

Ventilation where women or children are employed.—A factory in which five or more persons and a workshop in which five or more women or young persons are employed shall, while work is carried on therein, be so ventilated that the air shall not become so impure as to be injurious to the health of the persons employed therein and so that all gases, vapors, dust or other impurities injurious to health, which are generated in the course of the manufacturing process or handicraft carried on therein shall, so far as practicable, be rendered harmless. [1909 C 514 s 83]

State inspector may order mechanical contrivances where women or children are employed.—If, in a workshop, or factory which is within the provisions of the preceding section, any process is carried on by which dust is caused which may be inhaled to an injurious extent by the persons employed therein, and it appears to [an inspector of the State board of labor and industries] that such inhalation would be substantially diminished without unreasonable expense by the use of a fan or by other mechanical means, such fan or other mechanical means, if he so directs, shall be provided, maintained and used. [1909 C 514 s 84]

Medical chests required in these establishments and in mercantile establishments where 20 or more women or minors are employed; penalty for violation.—Every person, firm or corporation operating a factory or shop in which machinery is used for any manufacturing or other purpose except for elevators, or for heating or for hoisting apparatus, shall at all times keep and maintain, free of expense to the employees, such medical or surgical chest, or both, as shall be required by the State board of labor and industries, and containing plasters, bandages, absorbent cotton, gauze, and all other necessary medicines, instruments and other appliances for the treatment of persons injured or taken ill upon the premises. Every such person, firm or corporation, employing one hundred or more persons, shall, if so required by the State board of labor and industries, provide accommodations, satisfactory to said board, for the treatment of persons injured or taken ill upon the premises. Every person, firm or corporation carrying on a business in a mercantile establishment in which twenty or more women or minors are employed, shall in the manner aforesaid provide such medical and surgical chest as the State board of labor and industries may require. A person, firm or corporation violating any provision of this section shall be punished by a fine of not less than five dollars nor more than five hundred dollars for every week during which such violation continues. [1909 C 514 s 104 as amended by 1915 C 216]

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MANUFACTURING AND MECHANICAL ESTABLISHMENTS

WAGES

Deductions from wages of women and minors prohibited; penalty.—Deductions shall not be made from the wages of women and minors who are paid by the day or hour, and are employed in manufacturing or mechanical establishments, for time during which the machinery is stopped, if said women and minors are refused the privilege of leaving the mill while the damage to said machinery is being repaired; and if such employees are detained in their workrooms during the time of the breaking down of machinery, they shall not be compelled to make up time lost by such breakdown unless they are compensated therefor at their regular rates of wages. Whoever violates the provisions of this section shall be punished by a fine of not more than twenty dollars for each offense. [1909 C 514 s 119]

CORE ROOMS

HEALTH OF GIRLS

Rules to be made by State board of labor and industries for the employment of women in core rooms.—The [State board of labor and industries] shall investigate core rooms where women are employed and shall make rules regulating the employment of women therein. The rules shall relate to the structure and location of the rooms, the emission of gases and fumes from ovens, and the size and weight which the women shall be allowed to lift or work on. A copy of the rules shall be posted in every core room where women are employed. [1912 C 653 s 1]

Enforcement: duties of inspectors of State board of labor and industries.—The [inspectors of the State board of labor and industries] shall, under the direction of the [said board], enforce any rules made in accordance with the provisions of this act. [1912 C 653 s 2]

Penalty.—Whoever violates any rule established under the provisions of this act shall be punished by a fine of not less than twenty-five dollars or more than five hundred dollars. [1912 C 653 s 3]

ALL OCCUPATIONS

MINIMUM WAGE

Minimum wage commission established; organization.—There is hereby established a commission to be known as the minimum wage commission. It shall consist of three persons, one of whom may be a woman, to be appointed by the governor, with the advice and consent of the council. One of the commissioners shall be designated by the governor as chairman. The first appointments shall be made within ninety days after the passage of this act, one for a term ending October first, nineteen hundred and thirteen, one for a term ending October first, nineteen hundred and fourteen, and one for a term ending October first, nineteen hundred and fifteen; and beginning with the year nineteen hundred and thirteen, one member shall be appointed annually for the term of three years from the first day of October and until his successor is qualified. Any vacancy that may occur shall be filled in like manner for the unexpired part of the term. [1912 C 706 s 1]

Compensation; appointment and duties of secretary; expenses.—Each commissioner shall be paid ten dollars for each day's service, in addition to the traveling and other expenses incurred in the performance of his official duties. The commission may appoint a secretary, who shall be the executive officer of the board and to whose appointment the rules of the civil service commission shall not apply. It shall determine his salary, subject to the approval of the governor and council. The commission may incur other necessary expenses not exceeding the annual appropriation therefor, and shall be provided with an office in the statehouse or in some other suitable building in the city of Boston. [1912 C 706 s 2]

Commission to investigate inadequate wages paid females.—It shall be the duty of the commission to inquire into the wages paid to the female employees in any occupation in the Commonwealth, if the commission has reason to believe that the wages paid to a substantial number of such employees are inadequate to supply the necessary cost of living and to maintain the worker in health. [1912 C 706 s 3]

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Method of establishing wage board.—If after such investigation the commission is of the opinion that in the occupation in question the wages paid to a substantial number of female employees are inadequate to supply the necessary cost of living and to maintain the worker in health, the commission shall establish a wage board consisting of an equal number of representatives of employers in the occupation in question, and of persons to represent the female employees in said occupation, and of one or more disinterested persons appointed by the commission to represent the public; but the representatives of the public shall not exceed one half of the number of representatives of either of the other parties. The commission shall give notice to employers and employees in said occupation by publication or otherwise of its determination to establish a wage board and shall request that said employers and employees, respectively, nominate representatives for said board by furnishing names to the commission. The representatives of employers and employees shall be selected by the commission from names furnished by the employers and by the employees, respectively: *Provided*, That these names are furnished within ten days after the request of the commission. The commission shall designate as chairman one of the representatives of the public, and shall make rules and regulations governing the selection of members, and the modes of procedure of the boards, and shall exercise exclusive jurisdiction over all questions arising with reference to the validity of the procedure and of the determinations of the boards. The members of wage boards shall be compensated at the same rate as jurors, and they shall be allowed the necessary traveling and clerical expenses incurred in the performance of their duties, these payments to be made from the appropriation for the expenses of the commission. [1912 C 706 s 4 as amended by 1914 C 368]

Duty of wage board; method of determining minimum wage.—The commission may transmit to each wage board all pertinent information in its possession relative to the wages paid in the occupation in question. Each wage board shall take into consideration the needs of the employees, the financial condition of the occupation and the probable effect thereon of any increase in the minimum wages paid, and shall endeavor to determine the minimum wage, whether by time rate or piece rate, suitable for a female employee of ordinary ability in the occupation in question, or for any or all of the branches thereof, and also suitable minimum wages for learners and apprentices and for minors below the age of eighteen years. When a majority of the members of a wage board shall agree upon minimum wage determinations, they shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto. [1912 C 706 s 5 as amended by 1913 C 673]

Commission may decree minimum wage and publish facts and names of employers who follow or refuse to follow its recommendations.—Upon receipt of a report from a wage board, the commission shall review the same, and may approve any or all of the determinations recommended, or may disapprove any or all of them, or may recommit the subject to the same or to a new wage board. If the commission approves any or all of the determinations of the wage board it shall, after not less than fourteen days' notice to employers paying a wage less than the minimum wage approved, give a public hearing to such employers, and if, after such public hearing, the commission finally approves the determination, it shall enter a decree of its findings and note thereon the names of employers, so far as they may be known to the commission, who fail or refuse to accept such minimum wage and to agree to abide by it. The commission shall thereafter publish at such times and in such manner as it may deem advisable a summary of its findings and of its recommendations. It shall also at such times and in such manner as it shall deem advisable publish the facts, as it may find them to be, as to the acceptance of its recommendations by the employers engaged in the industry to which any of its recommendations relate, and may publish the names of employers whom it finds to be following or refusing to follow such recommendations. An employer who files a declaration under oath in the supreme judicial court or the superior court to the effect that compliance with the recommendation of the commission would render it impossible for him to conduct his business at a reasonable profit shall be entitled to a review of said recommendation by the court under the rules of equity procedure. The burden of proving the averments of said declaration shall be upon the complainant. If, after such review, the court shall find the averments of the declaration to be sustained, it may issue an order restraining the commission from publishing the name of the complainant as one who refuses to comply with the recommendations of the commission. But such review, or any order issued by the court thereupon, shall not be an adjudication affecting the commission as to any employer other than the complainant, and shall in no way affect the right of the commission to publish the names of those employers who do comply with its recommenda-

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tions. The type in which the employers' names shall be printed shall not be smaller than that in which the news matter of the paper is printed. The publication shall be attested by the signature of at least a majority of the commission. [1912 C 706 s 6 as amended by 1914 C 368]

Reconsideration of minimum wage rate established.—Whenever a minimum wage rate has been established in any occupation, the commission may, upon petition of either employers or employees, reconvene the wage board or establish a new wage board, and any recommendation made by such board shall be dealt with in the same manner as the original recommendation of a wage board. [1912 C 706 s 8]

Special individual minimum wage may be granted woman physically defective, in occupations having only minimum time rate.—For any occupation in which a minimum time rate only has been established, the commission may issue to any woman physically defective a special license authorizing the employment of the licensee for a wage less than the legal minimum wage: *Provided*, That it is not less than the special minimum wage fixed for that person. [1912 C 706 s 9]

Minimum wage for minors; method of procedure.—The commission may at any time inquire into the wages paid to minors in any occupation in which the majority of employees are minors, and may, after giving public hearings, determine minimum wages suitable for such minors. When the commission has made such a determination, it may proceed in the same manner as if the determination had been recommended to the commission by a wage board. [1912 C 706 s 10]

Records to be kept by employers; powers of commission to subpoena witnesses.—Every employer of women and minors shall keep a register of the names, addresses and occupations of all women and minors employed by him, together with a record of the amount paid each week to each woman and minor, and shall, on request of the commission or of the director of the bureau of statistics, permit the commission or any of its members or agents, or the director of the bureau of statistics or any duly accredited agent of said bureau, to inspect the said register and to examine such parts of the books and records of employers as relate to the wages paid to women and minors. The commission shall also have power to subpoena witnesses, administer oaths and take testimony. Such witnesses shall be summoned in the same manner and be paid from the treasury of the Commonwealth the same fees as witnesses before the superior court. [1912 C 706 s 11 as amended by 1914 C 368]

Bureau of statistics to gather data for commission.—Upon request of the commission, the director of the bureau of statistics shall cause such statistics and other data to be gathered as the commission may require, and the cost thereof shall be paid out of the appropriation made for the expenses of the commission. [1912 C 706 s 12]

Testimony of employee or service on wage board, etc., not to cause discharge or discrimination; penalty.—Any employer who discharges or in any other manner discriminates against any employee because such employee has testified, or is about to testify, or who has served or is about to serve upon a wage board, or is or has been active in the formation thereof, or has given or is about to give information concerning the conditions of such employee's employment, or because the employer believes that the employee may testify, or may serve upon a wage board, or may give information concerning the conditions of the employee's employment, in any investigation or proceeding relative to the enforcement of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than two hundred dollars and not more than one thousand dollars for each offense. [1912 C 706 s 13 as amended by 1914 C 368]

Names of employers violating decrees to be published.—The commission shall from time to time determine whether employers in each occupation investigated are obeying its decrees, and shall publish in the manner provided in section six, the name of any employer whom it finds to be violating any such decree. [1912 C 706 s 14]

Penalty for newspapers not publishing findings, decrees, or notices.—Any newspaper refusing or neglecting to publish the findings, decrees or notices of the commission at its regular rates for the space taken shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars for each offense. [1912 C 706 s 15]

No suit for damages because of such publication.—No member of the commission and no newspaper publisher, proprietor, editor or employee thereof, shall be liable to an action for damages for publishing the name of any employer in accordance with the provisions of this act, unless such publication contains some willful misrepresentation. [1912 C 706 s 16]

Annual reports.—The commission shall annually, on or before the first Wednesday in January, make a report to the general court of its investigations and proceedings during the preceding year. [1912 C 706 s 17]

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Commission may require notices to be posted.—The minimum wage commission may require employers to post in conspicuous positions in their places of employment such notices as the said commission may issue for the information of employees. [1915 C 65 s 1]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers relating to labor laws transferred to State board of labor and industries; application of act.—All powers and duties with reference to the enforcement of laws relating to labor and the employment thereof, the inspection and licensing of buildings or parts of buildings used for industrial purposes, the inspection and licensing of the workers therein and of all other industrial employees within the Commonwealth, the enforcement of laws relating to the employment of women and minors, and the institution of proceedings in prosecution of violations of any of the said laws, now conferred or imposed by law upon the State board of health or State inspectors of health, or upon the chief of the district police, the inspectors of factories and public buildings of the district police, or the inspection department of the district police, or the deputy chief of the inspection department of the district police, with the exception of such duties and powers as are now imposed by law upon the chief inspector of boilers or the boiler inspectors of the district police, and with the further exception of such powers and duties as relate to the inspection of buildings under erection, alteration or repair, are hereby transferred to the State board of labor and industries. Said board may delegate to such commissioner, deputy commissioners or inspectors as are under its direction such of the above powers as it may deem necessary to carry out the provisions of this act. Buildings used for industrial purposes under the meaning of this act shall include factories, workshops, bakeries, mechanical establishments, laundries, foundries, tenement-house workrooms, all other buildings or parts of buildings in which manufacturing is carried on, and mercantile establishments as defined in section seventeen of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine [1909 C 514 s 17 as amended by 1912 C 191]. [1912 C 726 s 5]

Duties concerning health of minors to be transferred from State board of health to State board of labor and industries.—Nothing in this act shall be construed to prevent the State inspectors of health from entering buildings used for industrial purposes when required by their duty to protect the health of the community, especially as prescribed by section three of chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven [1907 C 537 s 3], except that the duty therein prescribed of informing themselves concerning the health of minors in factories is hereby transferred to the State board of labor and industries. The said board shall promptly report to the State board of health all cases of disease in industrial establishments which may affect the health of the community. [1912 C 726 s 6]

Appointment and removal of inspectors.—The board shall have power to appoint and remove industrial health inspectors, industrial inspectors, assistant industrial inspectors, and necessary clerical assistants, subject to the laws of the Commonwealth relating to the appointment and removal of employees in the classified civil service. The total number of industrial health inspectors, industrial inspectors and assistant industrial inspectors shall not exceed twenty-four, of whom at least four shall be women. * * * [1912 C 726 s 8 as amended by 1915 C 74]

Powers of inspectors.—For the enforcement of any law within the jurisdiction of the State board of labor and industries, industrial health inspectors, industrial inspectors and assistant industrial inspectors shall possess the police powers granted by existing law to members of the inspection department of the district police. [1912 C 726 s 11]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS

HOURS OF LABOR

Making up time lost by reason of legal holiday prohibited.—It shall be unlawful to require or to request any person employed in a manufacturing or mechanical establishment to work more hours in any one day than is now limited by law, in order to make up time lost by reason of a legal holiday. [1913 C 359 s 1]

Penalty.—Whoever violates the provisions of this act shall be punished by a fine not exceeding one hundred dollars for each offense. [1913 C 359 s 2]

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HOTELS

HOURS OF LABOR

NOTE.—[Section 1, chapter 365 of the Acts of 1913 relating to posting of hours in hotels, etc., is dependent on section 47, chapter 514 of the Acts of 1909, which is apparently superseded by chapter 758 of the Acts of 1913, amending section 48, chapter 514 of the Acts of 1909.]

EMPLOYMENT AGENCIES

Authorized for minors residing in Boston.—There may be established and maintained by the school committee of the city of Boston an employment office for registering applications of minors residing in the city of Boston who seek employment, and of those who desire to employ such minors. [1913 C 389 s 1]

Regulations; duties of school committee.—The school committee shall establish regulations respecting the conduct of the office and shall take such action as the committee deems best to promote the purposes of an employment office for minors, and to bring together such minors seeking employment and those desiring to employ them. [1913 C 389 s 2]

Fees forbidden.—No fees, direct or indirect, shall be charged to or accepted from applicants for employment who apply at the office established hereunder, and the expense of maintaining the same shall be charged to the appropriation for the support of schools in the city of Boston. [1913 C 389 s 3]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS

HEALTH OF GIRLS

Devices for aiding females in moving large receptacles.—Boxes, baskets and other receptacles which with their contents weigh seventy-five pounds or over and which are to be moved by female employees in any manufacturing or mechanical establishment, shall be provided with pulleys or casters connected with such boxes or other receptacles so that they can be moved easily from place to place in such establishments. [1913 C 426 s 1 as amended by 1915 C 27]

Penalty.—Whoever violates the provisions of this act shall be punished by a fine not exceeding fifty dollars for every day during which there shall be a failure to equip or provide such boxes, baskets or other receptacles with some one of the appliances specified in section one of this act. [1913 C 426 s 2]

EDUCATIONAL REQUIREMENTS

COMPULSORY EVENING SCHOOL ATTENDANCE

Illiterate minors from 16 to 21 if not attending day school; exceptions.—Every illiterate minor between sixteen and twenty-one years of age shall attend some public evening school in the city or town in which he resides for the whole time during which the public evening schools are in session: *Provided*, That such city or town maintains a public evening school. Attendance at a public day school, or at a private school approved for the purpose by the school committee, shall exempt such minor from attending a public evening school. This act shall not affect any existing laws regarding the compulsory school attendance of illiterate minors or their employment, but shall be in addition to such laws. [1913 C 467 s 1]

Penalty; minor.—The illiterate minor who willfully violates any provision of this act shall be punished by a fine of not less than five dollars. [1913 C 467 s 2]

Penalty; parent, etc.—Every person having under his control an illiterate minor between sixteen and twenty-one years of age shall cause him to attend a public evening school as hereby required; and if such person fails for six sessions within a period of one month to cause the minor so to attend school, unless the minor's physical or mental condition is such as to render his attendance at school harmful or impracticable, such person shall, upon complaint by a truant officer and conviction thereof, be punished by a fine of not more than twenty dollars. [1913 C 467 s 3]

Penalty; employer and others.—Whoever induces or attempts to induce such minor to absent himself unlawfully from school, or employs such a minor except as is provided by law, or harbors such a minor who, while school is in session, is absent unlawfully therefrom, shall be punished by a fine of not more than fifty dollars. [1913 C 467 s 4]

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MANUFACTURING AND MERCANTILE ESTABLISHMENTS

HOURS OF LABOR

One day of rest in seven; labor on Sunday.—Every employer of labor, whether a person, partnership or corporation, engaged in carrying on any manufacturing or mercantile establishment in this Commonwealth as hereinafter defined, shall allow every person, except those specified in section two, employed in such manufacturing or mercantile establishment at least twenty-four consecutive hours of rest in every seven consecutive days. No employer shall operate any such manufacturing or mercantile establishment on Sunday, unless he shall have complied with the provisions of section three; but this act shall not authorize any work on Sunday not now authorized by law. [1913 C 619 s 1]

Occupations excepted.—This act shall not apply to (*a*) janitors; (*b*) watchmen; (*c*) employees whose duties include no work on Sunday other than (1) setting sponges in bakeries; (2) caring for live animals; (3) maintaining fires; (4) caring for machinery; (5) employees engaged in the preparation, printing, publication, sale or delivery of newspapers; (6) any labor called for by an emergency that could not reasonably have been anticipated. [1913 C 619 s 2]

Requirements before operating on Sunday.—Before operating on Sunday, every employer shall post in a conspicuous place on the premises a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the State board of labor and industries. The employer shall promptly file with the said board a copy of every change in such schedule. No employee shall be required or allowed to work on the day of rest so designated for him. [1913 C 619 s 3]

Time book required.—Every employer to whose employees the provisions of this act apply shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the State board of labor and industries. [1913 C 619 s 4]

Definition of terms; exceptions.—In this act "manufacturing establishments" and "mercantile establishments" shall have the meaning defined in section seventeen of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine [1909 C 514 s 17 as amended by 1912 C 191], except that neither of said terms shall be held to include establishments used for the manufacture or distribution of gas, electricity, milk or water, hotels, restaurants, drug stores, livery stables or garages. [1913 C 619 s 5]

Penalty.—An employer who violates any provision of this act shall be punished by a fine of fifty dollars for each offense. [1913 C 619 s 6]

FACTORIES, WORKSHOPS, AND MERCANTILE OR OTHER ESTABLISHMENTS

SAFETY

Employment of women or children above second story prohibited.— * * * Women or children shall not be employed, in a factory, workshop, mercantile or other establishment, in a room above the second story from which there is only one egress. The certificate of the inspector shall be conclusive evidence of a compliance with the said requirements. Portable seats shall not be allowed in the aisles or passageways of such buildings during any service or entertainment held therein. Stairways on the outside of the building shall have suitable railed landings at each story above the first, accessible at each story from doors or windows, and such landings, doors and windows shall be kept clear of ice, snow and other obstructions. [1913 C 655 s 20]

Application of act: not to Boston.—Sections * * * twenty * * * of this act shall not apply to the city of Boston. [1913 C 655 s 52]

Penalty for owner, lessee, or occupant.—Whoever, being the owner, lessee or occupant of any building or part of a building described in section twenty violates any provision of this act for which no other penalty is specifically prescribed shall be punished by a fine of not less than fifty nor more than five hundred dollars. [1913 C 655 s 53]

Enforcement: powers of inspectors of buildings and police officers.—The provisions of this act shall be enforced by the chief of the district police and the deputy chief and inspectors of the building inspection department of the district police, and the chief of the district police shall issue such regulations as may be deemed necessary for the uniform enforcement thereof. [1913 C 655 s 54]

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PASSENGER ELEVATORS (BOSTON)

MINIMUM AGE

Operators to be licensed.—It shall be unlawful for any person to be employed in running an elevator in the city of Boston for the transportation of passengers, except in private houses and apartment houses, unless the person so employed is licensed as hereinafter provided. [1913 C 714 s 1]

Applications for license; not to be granted to person under 18.—Any person desiring to operate an elevator in the city of Boston for the transportation of passengers, and any person now so employed and desiring to continue such employment, shall make written application to the building commissioner of said city. * * * No license shall be granted to a person under eighteen years of age. [1913 C 714 s 2]

Penalty for employee and employer.—Whoever not being licensed as aforesaid, or being under eighteen years of age, operates in the city of Boston an elevator for the transportation of passengers, and whoever employs a person who is under eighteen years of age, or who is not licensed as aforesaid, to operate an elevator in said city for the transportation of passengers shall be punished by a fine of not less than ten nor more than five hundred dollars. [1913 C 714 s 3]

Application of act.—This act shall not apply to elevators used for carrying freight which carry passengers incidentally to such use, nor to elevators in buildings that are under construction or repair, nor to the operation of elevators in an emergency that could not reasonably have been anticipated. [1913 C 714 s 4]

REGULATED OCCUPATIONS

APPLICATION OF ACT

Act not to interfere with manual training or industrial education in schools.—Nothing in this act [includes 1909 C 514 s 57–66 as amended by 1913 C 779] shall be construed to prevent children of any age from receiving manual training or industrial education in, or in connection with, any school in this Commonwealth: *Provided*, That the same has been duly approved by the local school committee or by the board of education. [1913 C 779 s 24]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement.—The officers hitherto known as truant officers shall hereafter be known as attendance officers, and all laws now or hereafter in force relative to truant officers shall apply to attendance officers. [1913 C 779 s 13]

COMPULSORY CONTINUATION SCHOOL ATTENDANCE

Children from 14 to 16 receiving employment certificates may be required to attend; conditions.—When the school committee of any city or town shall have established continuation schools or courses of instruction for the education of minors between fourteen and sixteen years of age who are regularly employed [1] in such city or town not less than six hours per day, such school committee may, with the consent of the board of education, require the attendance in such continuation schools or on such courses of instruction of every such minor thereafter receiving an employment certificate and who is not otherwise receiving instruction approved by the school committee as equivalent to that provided in schools established under the provisions of this act. The required attendance provided for in this act shall be at the rate of not less than four hours per week and shall be between the hours of eight o'clock in the morning and six o'clock in the afternoon of any working day or days. The time spent by a child in a continuation school or class shall be reckoned as a part of the time or number of hours that minors are permitted by law to work. [1913 C 805 s 1]

Approved schools or courses.—Continuation schools or courses of instruction as provided in section one of this act, shall, so long as they are approved by the board of education as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils and expenditure of the money, constitute approved continuation schools or

[1] Such schools have been established in Boston and attendance is compulsory.

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courses of instruction. Cities and towns maintaining such approved continuation schools or courses of instruction shall receive reimbursement from the Commonwealth, as provided in section three of this act. [1913 C 805 s 2]

State aid for such schools or courses.—The Commonwealth, in order to aid in the maintenance of approved continuation schools or courses, shall as provided in this act pay annually from the treasury to cities and towns maintaining such schools or courses an amount equal to one half of the sum to be known as the net maintenance sum. Such net maintenance sum shall consist of the total sum raised by local taxation and expended for the maintenance of such a school, less the amount, for the same period, of tuition claims paid or unpaid and receipts from the work of pupils or the sale of products. [1913 C 805 s 3]

Attendance of children employed in another city or town may be required.—When the school committee of any city or town shall have established a continuation school or courses of instruction as provided in section one of this act, the said school committee may require the attendance, as provided in section one of this act, in such continuation school or on such courses of instruction of all minors between fourteen and sixteen years of age residing in said city or town who are regularly employed in another city or town: *Provided*, That the city or town in which such minors are employed does not maintain and require attendance at a continuation school or courses of instruction as defined in section one of this act. [1913 C 805 s 4]

Certified reports of attendance.—Any minor between fourteen and sixteen years of age who is regularly employed in a city or town other than that in which the said minor resides may attend a continuation school or courses of instruction, as provided in section one of this act, in the city or town in which such minor resides. Any minor attending a continuation school or courses of instruction, as hereinbefore described, in the city or town of his residence in preference to attending such school or courses of instruction in the city or town of his employment, shall file or cause to be filed regularly, at least once a month, with the superintendent, or his representative duly authorized in writing, of the city or town in which such minor is employed, a report of attendance certified by the superintendent, or his representative duly authorized in writing, of the city or town in which such minor is attending school: *Provided however*, That the filing of such certified report of attendance with the superintendent of a city or town in which attendance at continuation schools or courses of instruction as defined in section one of this act is not compulsory shall not be required. [1913 C 805 s 5]

Employer must discharge minor when notified of nonattendance at school; penalty.—The employer of any minor between fourteen and sixteen years of age who is compelled by the provisions and regulations either of the school committee in the city or town in which such minor resides or of the school committee in the city or town in which such minor is employed to attend a continuation school or courses of instruction as defined in section one of this act, shall cease forthwith to employ such minor when notified in writing by the superintendent or his representative duly authorized in writing, having jurisdiction over such minor's school attendance, that such minor is not attending school in accordance with the compulsory attendance regulations as defined in section one of this act. Any employer who fails to comply with the provisions of this section shall be punished by a fine of not less than ten nor more than one hundred dollars for each offence. [1913 C 805 s 6]

Employment certificate may be revoked for nonattendance.—The superintendent of schools having jurisdiction, or a person authorized by him in writing, may revoke the age and schooling or employment certificate of any minor who is required by the provisions of this act to attend a continuation school or courses, if such minor fails to attend such school or courses as provided by this act. [1913 C 805 s 7]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited in these occupations, in tenement houses, messenger, telephone and telegraph service, etc., in any gainful work during school hours, or at night.—Section fifty-six of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by section fourteen of chapter seven hundred and seventy-nine of the acts of the year nineteen hundred and thirteen [1909 C 514 s 56 as amended by 1913 C 779 s 14] is hereby further amended by striking out the said section and inserting in place thereof the following:—*Section 56.* No minor under fourteen years of age shall be employed or permitted to work in or about or in connection

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with any factory, workshop, manufacturing, mechanical or mercantile establishment, barber shop, bootblack stand or establishment, public stable, garage, brick or lumber yard, telephone exchange, telegraph or messenger office or in the construction or repair of buildings, or in any contract or wage-earning industry carried on in tenement or other houses. No minor under fourteen years of age shall be employed at work performed for wage or other compensation, to whomsoever payable, during the hours when the public schools are in session or shall be employed at work before half-past six o'clock in the morning or after six o'clock in the evening. [1913 C 831 s 1 amending 1909 C 514 s 56]

Court decisions.—Under a former act it was held that the second sentence of this section is an absolute prohibition, not merely prohibiting the employment in factories, workshops and mercantile establishments, and is not inconsistent with section 76, chapter 514, Acts of 1909, dealing with a limited class of exhibitions. The words "work performed for wage" include theatrical exhibitions and prohibit the employment of children therein. Employment in the night time is punishable whether with or without wages.—Commonwealth *v.* Griffith, 204 Mass. 18, 90 N. E. 394 (1910).

A child injured through violation of the statute has a right of action therefor.—Berdos *v.* Tremont & Suffolk Mills, 209 Mass. 489, 95 N. E. 876 (1911).

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery.—No minor under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines: (1) Circular or band saws, (2) wood shapers, (3) wood jointers, (4) planers, (5) picker machines or machines used in picking wool, cotton, hair or any other material, (6) paperlace machines, (7) leather burnishing machines, (8) job or cylinder printing presses operated by power other than foot power, (9) stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories, (10) metal or paper cutting machines, (11) corner staying machines in paper box factories, (12) corrugating rolls such as are used in corrugated paper or in roofing, or washboard factories, (13) steam boilers, (14) dough brakes or cracker machinery of any description, (15) wire or iron straightening or drawing machinery, (16) rolling mill machinery, (17) power punches or shears, (18) washing or grinding or mixing machinery, (19) calender rolls in paper and rubber manufacturing or other heavy rolls driven by power, (20) laundering machinery, (21) upon or in connection with any dangerous electrical machinery or appliances. [1913 C 831 s 2]

Specific occupations prohibited under 16; machinery, public bowling alleys, etc.—No minor under sixteen years of age shall be employed or permitted to work in any capacity in adjusting, or assisting in adjusting any hazardous belt to any machinery, or in oiling or cleaning hazardous machinery, or in proximity to any hazardous or unguarded belts, machinery or gearing while such machinery or gearing is in motion; nor on scaffolding; nor in heavy work in the building trades; nor in stripping, assorting, manufacturing or packing tobacco; nor in any tunnel; nor in a public bowling alley; nor in a pool or billiard room. [1913 C 831 s 3]

Employment under 16 may be prohibited by State board of labor and industries in other occupations.—The State board of labor and industries may from time to time, after a hearing or hearings duly held, determine whether or not any particular trade, process of manufacture or occupation in which the employment of minors under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous or is sufficiently injurious to the health or morals of minors under sixteen years of age to justify their exclusion therefrom. No minor under sixteen years of age shall be employed or permitted to work in any trade, process or occupation thus determined to be dangerous or injurious to such minors. [1913 C 831 s 4]

Specific occupations prohibited under 18; machinery, dangerous processes, places of amusement where intoxicating liquors are sold, etc.—No minor under eighteen years of age shall be employed or permitted to work: (1) in or about blast furnaces; (2) in the operation or management of hoisting machines; (3) in oiling or cleaning hazardous machinery in motion; (4) in the operation or use of any polishing or buffing wheel; (5) at switch tending; (6) at gate tending; (7) at track repairing; (8) as a brakeman, fireman, engineer, motorman or conductor upon a railroad or railway; (9) as a fireman or engineer upon any boat or vessel; (10) in operating motor vehicles of any description; (11) in or about establishments wherein gunpowder, nitroglycerine, dynamite or other high or dangerous explosive is manufactured or compounded; (12) in the manufacture of white or yellow phosphorus or phosphorus matches; (13) in any dis-

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tillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; (14) in that part of any hotel, theater, concert hall, place of amusement or other establishment where intoxicating liquors are sold. The provisions of this section shall not prohibit the employment of minors in drug stores. [1913 C 831 s 5]

Employment under 18 may be prohibited by State board of labor and industries in other occupations.—The State board of labor and industries may from time to time, after a hearing or hearings duly held, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of minors under the age of eighteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous or is sufficiently injurious to the health or morals of minors under eighteen years of age to justify their exclusion therefrom. No minor under eighteen years of age shall be employed or permitted to work in any trade, process or occupation thus determined to be dangerous or injurious to such minors. [1913 C 831 s 6]

Employment in saloons, etc., and sending to immoral places prohibited under 21.—No person under twenty-one years of age shall be employed or permitted to work in, about or in connection with any saloon or barroom where alcoholic liquors are sold. No such person in any employment shall knowingly be taken, sent or caused or permitted to be sent, to any disorderly house or house of prostitution or assignation or other immoral place of resort or amusement. [1913 C 831 s 7]

NOTES.—[Sections 60 and 61, chapter 100 of the Revised Laws, 1902, relating to the employment of minors under 18 in saloons or bottling establishments, etc., appear to be superseded by sections 5 and 7 of chapter 831 of the Acts of 1913 quoted above.

Section 73, chapter 514, of the Acts of 1909, relating to cleaning machinery by minors under 14, and section 75 of the same chapter as amended by chapter 404 of the Acts of 1910, relating to injurious occupations for minors under 18, appear to be superseded by sections 2-6 of chapter 831 of the Acts of 1913, quoted above.]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, under 16.—No minor under sixteen years of age shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section one [1913 C 831 s 1 amending 1909 C 514 s 56] for more than six days in any one week, nor more than forty-eight hours in any one week, nor more than eight hours in any one day, nor before the hour of half-past six o'clock in the morning, nor after the hour of six o'clock in the evening of any day. [1913 C 831 s 8]

Ten hours a day, 54 a week, 6 days a week, and night work prohibited, for boys under 18 and girls under 21.—No boy under the age of eighteen years and no girl under the age of twenty-one years shall be employed or permitted to work in, about or in connection with any establishment or occupation named in section one [1913 C 831 s 1 amending 1909 C 514 s 56] for more than six days in any one week, nor more than fifty-four hours in any one week, nor more than ten hours in any one day, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening, nor in the manufacture of textile goods after the hour of six o'clock in the evening. [1913 C 831 s 9]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 21; exceptions.—Except for the delivery of messages directly connected with the business of conducting or publishing a newspaper, to a newspaper office or directly between newspaper offices, no person under the age of twenty-one years shall be employed or permitted to work as messenger for a telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [1913 C 831 s 10]

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STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 12 and girls under 18 prohibited.—No boy under twelve years of age and no girl under eighteen years of age shall, in any city having a population of over fifty thousand inhabitants, sell, expose or offer for sale any newspapers, magazines, periodicals, or any other articles of merchandise of any description, or exercise the trade of bootblack or scavenger, or any other trade, in any street or public place. [1913 C 831 s 11]

PERMITS AND BADGES

Badge and school attendance required for boys under 16.—No boy under sixteen years of age shall, in any city having a population of over fifty thousand inhabitants, engage in any of the trades or occupations mentioned in the preceding section, unless he complies with all of the provisions of this act and with all of the legal requirements concerning school attendance, and unless a badge as hereinafter provided shall have been issued to him by the officer authorized to issue employment certificates in the city or town where such boy resides. [1913 C 831 s 12]

Evidence of age and physical and mental competence for the work required.—Such badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed evidence that such boy is twelve years or upwards, which shall consist of the proof of age required for the issuing of an employment certificate. Such officer may refuse to issue such badge to any boy who, in his opinion after due investigation, is found to be physically or mentally incompetent or unable to do such work in addition to the regular school attendance required by law. [1913 C 831 s 13]

Badge to be worn conspicuously; nontransferable.—The badge herein required shall be worn, conspicuously exposed at all times, by such boy while so working. No boy to whom the said badge has been issued shall transfer the same to any other boy. He shall exhibit the same upon demand at any time to any officer charged with the duty of enforcing the provisions of this act which relate to street trades. The school committee of any city may make further regulations and requirements for the issuance of the badge required by this act. [1913 C 831 s 14]

HOURS OF LABOR

Employment under 16 prohibited during school hours or at night.—No boy under sixteen years of age shall engage in any of the trades or occupations mentioned in section eleven in any street or public place after nine o'clock in the evening or before five o'clock in the morning of any day, nor, unless provided with an employment certificate, during the hours when the public schools in the city where such boy resides, or the schools which such boy attends, are in session. [1913 C 831 s 15]

REGULATED OCCUPATIONS

HOURS OF LABOR

Enforcement: hours to be posted.—Except as provided in section seventeen, every person employing any minor in any establishment mentioned in this act shall post and keep posted in a conspicuous place in the room where such minor is employed or permitted to work a printed notice stating the number of hours such minor is required or permitted to work on each day of the week, with the total for the week, the hours of commencing and stopping work and the hours when the time allowed for meals begins and ends for each day of the week. The employment of any minor at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section. The terms of such notice for any week or part thereof shall not be changed after the beginning of labor on the first day of the week, without the written consent of the commissioner of labor. [1913 C 831 s 16]

Enforcement: hours of each shift to be posted, etc.; exceptions as to hours of employment of minors over 18.—Every employer who employs any minor subject to the provisions of this act and who is engaged in furnishing public service shall post in a conspicuous place in every room in which such persons are employed a printed notice stating separately the hours of employment for each shift or tour of duty and the time allowed for meals. A list by name of minor employees, stating in which shift

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each is employed, shall be kept on file at each place of employment for inspection by employees and officers charged with the enforcement of the law. The provisions of this act, so far as they relate to hours of employment of minors of eighteen years or over, shall not apply to such employers in cases of extraordinary emergency or extraordinary public requirement, but in such cases no employment contrary to the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the commissioner of labor. [1913 C 831 s 17]

ENFORCEMENT

Duties of State board of labor and industries.—The State board of labor and industries, after approval by the attorney general, shall furnish the printed forms of the laws and notices required by this act, upon application, to all persons required to post the same. The inspectors of the State board of labor and industries shall visit and inspect the places of employment mentioned in this act and shall ascertain whether any minors are employed therein contrary to the provisions of this act, and shall prosecute violations thereof. They shall report to the school authorities any cases of children under sixteen years of age discharged for illegal employment. Any person shall have the right to prosecute violations of this act. [1913 C 831 s 18]

STREET TRADES IN CITIES

ENFORCEMENT

Duties and powers of truant, school attendance, and police officers.—The provisions of this act relating to minors engaged in the occupations mentioned in section eleven shall be enforced by the truant officers and school attendance officers, who are hereby vested with full police power for the purpose, and by police officers. The school committee of each city may appoint or designate one or more special truant or attendance officers to have supervision over minors engaged in such occupations and over the enforcement of the said provisions. [1913 C 831 s 19]

REGULATED OCCUPATIONS

PENALTIES

Employing, inducing, or permitting minor to work.—Any person who, whether by himself or for others, or through agents, servants or foremen employs, induces or permits any minor to work contrary to any of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, for a first offense, be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; and for a second or subsequent offense, by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment. The employment of any minor in violation of any provision of this act after the person employing such minor has been notified thereof in writing by any authorized inspector, school attendance officer or truant officer, shall constitute a separate offense for every day during which the employment continues. [1913 C 831 s 20]

Hindering inspector, etc.—Any person who hinders or delays any authorized inspector, school attendance officer, or truant officer in the performance of his duties, or who refuses to admit to or locks out any such inspector or officer from any place which such inspector or officer is authorized to inspect, or who refuses to give to such inspector or officer such information as may be required for the proper enforcement of this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [1913 C 831 s 21]

Assisting or encouraging minor to violate act.—Any person who furnishes or sells to any minor any article of any description with the knowledge that the minor intends to sell such articles in violation of any provision of this act, or after having received written notice to this effect from any officer charged with the enforcement of any provision of this act, or any person who knowingly procures or encourages any minor to violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [1913 C 831 s 22]

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Compelling or permitting minor to work or certifying to false statements; parent, etc.—Any parent, guardian or custodian having a minor under his control, who compels or permits such minor to work in violation of any provision of this act, or who knowingly certifies to any materially false statement for the purpose of obtaining the illegal employment of such minor, shall be deemed guilty of a misdemeanor, and, upon conviction, shall for the first offense be punished by a fine of not less than two dollars nor more than ten dollars, or by imprisonment for not more than five days, or by both such fine and imprisonment; and for a second or subsequent offense he shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment for not more than ten days, or by both such fine and imprisonment. [1913 C 831 s 23]

Violation by inspector, school attendance officer, etc.—Any inspector, school attendance officer, truant officer, superintendent of schools or other person authorized to issue the badges required by this act, or any other person charged with the enforcement of any of the provisions of this act, who knowingly violates or fails to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [1913 C 831 s 24]

Engaging illegally in street trades; minor.—Any minor who shall engage in any of the trades or occupations mentioned in section eleven in violation of any provision of this act shall, for the first offense, be warned by the officers whose duty it is to enforce the provisions of this act relating to street trades, and the parent, guardian or custodian shall be notified. In case of a second violation, such minor may be arrested and dealt with as a delinquent child, or, if over seventeen years of age, shall be punished by a fine not exceeding fifteen dollars upon the recommendation of the principal or chief executive officer of the school which such minor is attending, or upon the complaint of any school attendance officer, truant officer, police officer or probation officer, the badge of any minor who violates any provision of this act, or who becomes delinquent or fails to comply with all legal requirements concerning school attendance, may be revoked by the officer issuing the same for a period of three months and the badge taken from such minor. The refusal of any minor to surrender such badge, or the working at any of the occupations mentioned in section eleven by any minor after notice of the revocation of such badge, shall be deemed a violation of this act. [1913 C 831 s 25]

APPLICATION OF ACT

Act not to interfere with manual training or industrial education in schools.—Nothing in this act shall be construed to apply to the juvenile reformatories, other than the Massachusetts reformatory, or to prevent minors of any age from receiving manual training or industrial education in or in connection with any school in this Commonwealth which has duly been approved by the school committee or by the board of education. [1913 C 831 s 27]

STREET RAILWAYS

HOURS OF LABOR

Nine hours a day within 11 consecutive hours; threats; exceptions.—A day's work for all conductors, guards, drivers, motormen, brakemen, dispatchers and gatemen who are employed by or on behalf of a street railway or elevated railway company shall not exceed nine hours, and shall be so arranged by the employer that it shall be performed within eleven consecutive hours. No officer or agent of any such company shall require from said employees more than nine hours' work for a day's labor. Threat of loss of employment or threat to obstruct or prevent the obtaining of employment by the employees, or threat to refrain from employing any employee in the future shall be considered coercion and "requiring," within the meaning of this section. But nothing herein shall prevent an employee of the character mentioned in this act, if he so desires, from working more hours than those prescribed in the act for extra compensation. [1913 C 833 s 1 (revising and amending 1912 C 533 s 2 and 3) as amended by 1915 C 277].

Penalty.—A company which violates any provision of this act shall forfeit for each offense not less than one hundred dollars nor more than five hundred dollars. [1913 C 833 s 2]

Application of act.—This act shall not affect any written contract existing at the date of its passage. [1913 C 833 s 3]

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Signs, placards, etc., for information of employees to be posted.—The State board of labor and industries may require employers to post in conspicuous positions in any place of employment such placards, posters or signs as the said board may issue for the information of employees. [1914 C 263 s 1]

EMPLOYMENT CERTIFICATES

Fees for age certificates forbidden.—It shall be unlawful for any city or town clerk or other official to charge any fee for a certificate relating to the age or place of birth of any minor or to any other fact sought to be established in relation to school attendance, but such certificates shall be issued, upon request, by any city or town clerk. [1914 C 316 s 1]

RAILROADS[1]

HOURS OF LABOR

Two rest days in every calendar month for certain employees; exceptions.—Every person employed as signalman, towerman, leverman, agent, train dispatcher, telegrapher or telephone operator in a railroad, signal tower or railroad station, and every other person employed by a railroad in the operating of trains by the use of the telegraph, telephone or signal and interlocking switching machines shall be allowed two days of twenty-four hours each in every calendar month for rest with regular compensation; except in a case of extraordinary emergency caused by accident, fire, flood, or danger to life or property, in which case the said period of rest shall be allowed, after the emergency is past. [1914 C 723 s 1]

Penalty.—Any violation of the provisions of this act shall be punished by a fine of not less than one hundred dollars for each offense. [1914 C 723 s 2]

Period of rest after 9 hours' work for certain employees.—Employees in and about steam railroad stations in this Commonwealth designated as baggagemen, laborers, crossing tenders, and the like, shall not be employed for more than nine working hours in ten hours' time; the additional hour to be allowed as a lay-off. [1914 C 746 s 1]

Penalty.—Any employer, agent, officer or other person who violates any provision of this act shall be punished by a fine not exceeding one hundred dollars for each offense. [1914 C 746 s 2]

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[1] See court decision on page 7 (New York).

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MICHIGAN

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ALL OCCUPATIONS

HOURS AND CONDITIONS OF LABOR

Power of legislature to enact laws relating to employment of women and children.—The legislature shall have power to enact laws relative to the hours and conditions under which women and children may be employed. [Constitution 1909 article 5 section 29]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Poor relief for child failing to attend on account of poverty compelling employment.—Any truant officer of this State when authorized by the board of education to investigate, and when satisfied that any child within his jurisdiction, required by law to attend school, is unable so to do by reason of the fact that the services of such child are absolutely required for the support of himself or herself, or to assist in the support or care of others legally entitled to his or her services, such person or persons being unable to support or care for themselves, such truant officer shall report the case to the board of education of the school district in which such child may reside, and such board of education shall be authorized to and may in their discretion grant such relief as will enable the child to attend school during the entire school year. In all cases where such relief is necessary the said board of education shall be authorized to, and may in their discretion, furnish to such child the necessary textbooks free of charge, in addition to such other necessary assistance or support. [Howell's Annotated Statutes 2d edition 1913 section 3578]

Amount to be paid.—For the purposes in this act [s 3578–3581] provided such board of education shall pay, during the school year, to the family of such child a sum not to exceed three dollars a week, nor more than six dollars a week for the children of any one family. Said money shall be paid in the same manner and out of the same fund as are the current expenses for the maintenance of public schools. [H A S 1913 s 3579]

Disbursements of funds.—It shall be the duty of the truant officer or treasurer of the school board in any district where a child is receiving aid under the provisions of this act [s 3578–3581] to disburse the funds herein provided for, and to investigate the environment of the child, and to make an itemized report monthly to the school board or some officer appointed by the board, of the manner in which such funds were expended: *Provided*, That in cities having a juvenile court such investigation shall be made by such court. [H A S 1913 s 3580]

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Report of teachers.—The truant officer shall notify the teacher to whom any child receiving aid under the provisions of this act [s 3578–3581] may be assigned, and it shall be the duty of the teacher having charge of such child to report monthly to the school board through the superintendent of schools, the progress such child is making in his or her school work, and the record of attendance together with such other information as may be deemed necessary. * * * [H A S 1913 s 3581]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in rope walking, gymnastics, dancing, etc., prohibited; misdemeanor for employer, parent, etc.—Any person having the care, custody, or control of any child under sixteen years of age, who shall exhibit, use, or employ, or who shall apprentice, give away, let out or otherwise dispose of any such child to any person in or for the vocation, service or occupation of rope or wire walking, gymnast, contortionist, rider, or acrobat, dancing or begging, in any place whatsoever, or for any obscene, indecent, or immoral purpose, exhibition or practice whatsoever, or for any exhibition injurious to the health or dangerous to the life or limb of such child, or who shall cause, procure, or encourage such child to engage therein, and any person who shall take, receive, hire, employ, use, exhibit, or have in custody any such child for any of the purposes mentioned in this section, shall be deemed guilty of a misdemeanor. [H A S 1913 s 3921]

Distribution of obscene literature by minors prohibited; misdemeanor for employer, parent, etc.—Any person who shall sell, give away, or in any way furnish to any minor child any book, pamphlet, or other printed paper or other thing, containing obscene language, or obscene prints, pictures, figures or descriptions tending to the corruption of the morals of youth, or any newspapers, pamphlets or other printed paper devoted to the publication of criminal news, police reports, or criminal deeds, and any person who shall in any manner hire, use, or employ such child to sell, give away, or in any manner distribute such books, pamphlets, or printed papers, and any person having the care, custody, or control of any such child, who shall permit him or her to engage in any such employment, shall on conviction thereof be deemed guilty of a misdemeanor. [H A S 1913 s 3925]

NOTE.—[Section 14787 of Howell's Annotated Statutes contains similar provision. See page 13.]

Penalty.—Every person who shall be convicted of a misdemeanor, the punishment of which is not otherwise prescribed by any statute shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding two hundred and fifty dollars, or by both such fine and imprisonment. [H A S 1913 s 14744]

Ill treatment of child prohibited.—Every child under sixteen years of age who is ill-treated, within the meaning of this act [s 3921–3935], by his father, mother or guardian, is hereby declared to be under the protection of public authority and may be removed from such parent or guardian as herein provided. [H A S 1913 s 3931]

Endangering life, health, or morals of child prohibited.—An ill-treated child is hereby declared to be:

First, one whose father, mother or guardian shall habitually violate or permit such child to violate the provisions of sections * * * [3921, 3925];

Second, one whose father, mother or guardian habitually causes or permits the health of such child to be injured or his life to be endangered by exposure, want, or other injury to his person, or causes or permits him to engage in any occupation that will be likely to endanger his health, or life, or deprave his morals * * *. [H A S 1913 s 3932]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours a day, average of 9 a day, 54 a week, for boys under 18 and girls of any age; night work prohibited under 18 for messengers, under 16 in manufacturing establishments, workshops, etc., and for females under 18 in manufacturing establishments; canning fruits and vegetables excepted; copy of section to be posted.—No male under the age of eighteen years, and no female shall be employed in any factory, mill, warehouse, workshop, clothing, dressmaking or millinery establishment, or any place where the manufacture

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of any kinds of goods is carried on, or where any goods are prepared for manufacturing, or in any laundry, store, shop, or any other mercantile establishment, or in any office or restaurant, for a period longer than an average of nine hours a day or fifty-four hours in any week nor more than ten hours in any one day; and all such establishments shall keep posted a copy of this section printed in large type, in a conspicuous place; in establishments having a time clock such copy shall be posted near the time clock. Copies of this section suitable for posting shall be furnished upon the application of any employer by the commissioner of labor: *Provided however*, That the provision of this section in relation to the hours of employment shall not apply to nor affect any person engaged in preserving perishable goods in fruit and vegetable canning establishments. No female under the age of eighteen years shall be employed in any manufacturing establishment between the hours of six o'clock p. m. and six o'clock a. m. No child under the age of sixteen years shall be employed in any manufacturing establishment or workshop, mine or messenger service in this State between the hours of six o'clock p. m. and six o'clock a. m. No child under the age of eighteen years shall be employed between the hours of ten o'clock p. m. and five o'clock a. m. in the transmission, distribution or delivery of messages or merchandise. [H A S 1913 s 4017 as amended by 1915 no 255].

Court decision.—A former section on this subject was held constitutional; exemption of canning industries held not discriminating.—Withey *v.* Bloem, 163 Mich. 419, 128 N. W. 913 (1910).

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, MINES, THEATERS, ETC.

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment under 15 prohibited in these occupations and in hotels, laundries, etc., exceptions from 14 to 15 during vacation in establishments canning perishable fruits and vegetables; employment under 21 prohibited in places of amusement, etc., where intoxicating liquors are sold; permits and lists required under 16; school authorities to issue permits; permit to be returned to issuing office; fees forbidden; method of issuing and contents of permits; age and school record required; vacation permits; child to report monthly to issuing office; penalty for false statements.—No child under the age of twenty-one years shall be employed, permitted or suffered to work in any theater, concert hall, or place of amusement where intoxicating liquors are sold. No child under fifteen years of age shall be employed, permitted or suffered to work in or in connection with any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, billard or pool room conducted for profit, theater, passenger or freight elevator, factory or workshop, telegraph or messenger service within this State: *Provided*, This section shall not apply to any child of the age of fourteen years or over, working during the established vacation period in perserving perishable goods in fruit or vegetable canning establishments. It shall be the duty of every mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, workshop, telegraph or messenger service or any person coming within the provisions of this act [s 4009–4062] to keep a register in which will be recorded the name, birthplace, age and place of residence of every person employed under the age of sixteen years, and it shall be unlawful for any such establishment or person to hire or employ, or permit to be hired or employed or suffered to work, any child under the age of sixteen years without [sic] there is first provided and placed on file in the business office thereof a permit issued by the superintendent of schools of the school district in which such child resides, or someone duly authorized by him in writing, or, where there is no superintendent of schools, by the county commissioner of schools, or someone duly authorized by him in writing, any of whom shall have power to administer oaths in relation thereto. Such permit shall be returned immediately to the issuing officer when such child leaves such employment; every limited vacation permit, hereinafter to be described, shall, upon its expiration, be void and of no effect. The said register and permit shall be produced for inspection on demand of any factory inspector appointed under this act. No fee shall be charged for such permit or other record required by this act by any officer by whom it shall be issued. Every employer complying with the provisions of this section shall be at liberty to employ the person so presenting the permit hereinbefore referred to, and is justified in considering and treating such person as of the age shown in such permit and shall not be liable, if it transpire that such person is under the age represented in such permit, to any greater extent than such employer would be liable if such person were of the age represented. The

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person authorized and required to issue such permit shall not issue the same until he has received, examined, approved and filed the following papers, duly executed:

(a) The school report of said child properly filled out and signed as hereinafter provided: *Provided however*, That when such permit is issued during the summer vacation no such record shall be required, but all such permits, called in this act limited vacation permits, shall expire upon the first Monday in September, commonly called Labor Day, shall contain a conspicuous statement of the time at which they shall expire and shall be of a special color distinct from regular permits;

(b) A passport, or duly attested transcript of the record of birth, as kept by any duly authorized public authority, or a record of baptism or other religious record, showing the date and place of birth of such child;

(c) A statement from a physician connected officially with the board or department of health, which shall be required, however, only in case the above-mentioned official or religious record can not be produced, which statement shall certify that, in the opinion of the physician issuing said statement, the child is fifteen years of age or upwards, is in sound health and physically able to perform the work which it intends to do. Such statement shall also certify to the correct weight and height of said child, and shall be kept on file by the person issuing working permits; such person may, in his discretion, require also an affidavit from the parents or other evidence, as additional proof of age;

(d) A statement by the issuing officer that he has examined said child, that in his opinion the child can read intelligently and write legibly simple sentences in the English language, that in his opinion the child is fifteen years of age or upwards, and has reached the normal development of a child of its age and is in sound health and physically able to perform the work which it intends to do, and that in his opinion the services of the child are essential to the support of itself or its parents. In doubtful cases, such physical fitness shall be determined by a medical officer of the board or department of health. Every such permit shall be signed in the presence of the officer issuing the same by the child in whose name it is issued; and shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the paper required by the preceding sections have [sic] been duly examined, approved and filed, and that the child named in such permit has appeared before the officer signing the same and been examined. The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public school or schools equivalent thereto, or parochial schools for not less than one hundred days during the school year previous to his arriving at the age of fifteen years or during the year previous to applying for such school record, and is able to read intelligently and write legibly simple sentences in the English language, and in the case of the public schools, has passed satisfactorily the work of the school up to and including the work of the sixth grade, as provided in the course of study of the public schools, or in the case of schools other than public, the equivalent thereto. Such school record shall also give the age and residence of the child as shown on the records of the school and the name of its parents or guardian or custodian: *Provided*, That in the case of limited vacation permits the school record and all other requirements relating to educational qualifications shall be waived, but all other requirements shall be complied with as prescribed in this section. Every month after the issuance of a permit the child shall report to the person who issued same, either in person or in writing, through its parent or guardian, stating that the child is employed, giving the name of employer and the location of the place of employment, and if not employed said child shall be compelled to attend school: *Provided*, That nothing in this act shall be used to invalidate the right of any minor over the age of fourteen years to use a working permit issued before the passage of this act.

(e) [sic] Any person who shall make a false statement, transcript, passport, school certificate, certificate of physical fitness, school record or any other writing required to be made or filed by the provisions of this section shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten nor more than one hundred dollars or imprisonment for not less than ten days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court. [H A S 1913 s 4018 as amended by 1915 No. 255]

Court decision.—Under a former section, which is superseded by above, the operation of a freight elevator was held to be a dangerous occupation.—Braasch *v.* Michigan Stove Co., 153 Mich. 652, 118 N. W. 366 (1908).

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Specific occupations prohibited for boys under 18 and girls under 21; cleaning machinery in motion, places where alcoholic liquors are manufactured, etc.; certain occupations exempted for boys from 16 to 21 under certain conditions; constant standing prohibited for girls of any age; employment under 16 in theaters, pool rooms, etc., prohibited; traveling theatrical companies excepted; certificates of age for children over 16 to be issued by school authorities or commissioner of labor; method of issuing and contents of such certificates.—No female under the age of twenty-one years and no male under the age of eighteen years shall be allowed to clean machinery while in motion, nor employed in or about any distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled, nor in any hazardous employment, or where their health may be injured or morals depraved, nor shall females be unnecessarily required in any employment to remain standing constantly. No child under the age of sixteen years shall be employed in or about any theater, variety show, moving picture show, burlesque show, or other kind of playhouse, music or dance hall, pool room or billiard room: *Provided however*, That any male person over sixteen and under eighteen years of age, may be employed in any occupation, other than the cleaning of machinery while in motion and occupations in or about any distillery, brewery or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled, subject to the following conditions: Such employment shall be for a total of not more than fifty-four hours in any week, nor more than ten hours in any one day. The occupation in which such person is employed shall be approved by the department of labor as not being injurious to health or morals, or unduly hazardous: *Provided*, That in all cities in which the department of labor maintains a permanent office, the official in charge thereof shall be authorized and required, under the direction of the commissioner of labor, and in other cities or municipalities the superintendent of schools shall likewise be authorized and required to issue, upon demand, certificates of age to young persons past the age of sixteen years, in accord with the following conditions, to wit: The official authorized to issue such certificates shall not issue the same until he has received, examined, approved and filed the following papers, duly executed:

(a) A passport, or duly attested transcript of the record of birth, as kept by any recognized public authority or a record of baptism or other religious record, showing the date and place of birth of such young person;

(b) A statement from a physician connected officially with the board or department of health, which shall be required, however, only in case the above-mentioned official or religious record can not be produced, which statement shall certify that, in the opinion of the physician issuing said statement, the young person is of the age stated therein. Such statement shall also certify to the correct weight and height of said young person, and shall be kept on file by the official issuing certificates of age; such official may, in his discretion, require also an affidivit from the parent of the young person concerned, or other evidence, as additional proof of age;

(c) A statement by the issuing officer that he has examined said young person, and that in his opinion the young person is of the age stated in said certificate of age. Every such certificate shall be signed in the presence of the officer issuing the same, by the young person in whose name it is issued, and shall state the date and place of birth of said person, and describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such person, and that the papers required by the preceding section have been duly received, examined, approved and filed, and that the young person named in such certificate has appeared before the officer and been examined. Every employer complying with the provisions of this section shall be at liberty to employ the person so presenting the certificate hereinbefore referred to, and is justified in considering and treating such person as of the age shown in such certificate and shall not be liable, if it transpire that such person is under the age represented in such certificate, to any greater extent than such employer would be liable if such person were of the age represented;

(d) [sic] This act [s 4009–4062] shall not be construed so as to prevent children under sixteen years of age from being employed by traveling theatrical companies whose employment consists of acting a part in the productions of such company. [H A S 1913 s 4019 as amended by 1915 No 255]

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Court decisions.—Under a former section on the above subject, the following decisions were rendered: A violation of this section constitutes negligence per se. The running of a corrugating machine is dangerous for a child.—Sterling *v.* Union Carbide Co., 142 Mich. 284, 105 N. W. 744 (1905). A child under the designated age does not assume the risk of danger to life and limb when employed at dangerous labor.—Dalm *v.* Bryant Paper Co., 157 Mich. 550 (1909). Employment of a child without obtaining a statement of age from the child's parents, renders the employer liable for the child's injuries, although the child misrepresented his age. The fellow servant doctrine does not apply to one whose employment the law forbids.—Syneszewski *v.* Schmidt, 153 Mich. 438, 116 N. W. 1107 (1908). But the defense of contributory negligence is available.—Beghold *v.* Auto Body Co., 112 N. W. 691 (1907). The factory inspector's determination as to the danger of employments is not conclusive.—Tabinski *v.* Harvey's Mfg. Co., 168 Mich. 392, 134 N. W. 653 (1912).

MANUFACTURING ESTABLISHMENTS, WORKSHOPS, STORES, ETC.

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; dressing rooms to be provided.—Every manufacturing establishment, workshop, hotel or store in which five or more persons are employed, and every institution in which two or more children, young persons or women are employed, shall be supplied with proper wash and dressing rooms, and kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance, and shall be provided, within reasonable access, with a sufficient number of proper water-closets, earth closets or privies for the reasonable use of persons employed therein, at least one of such closets for each twenty-five persons employed; and wherever two or more persons and one or more female persons are employed as aforesaid, a sufficient number of separate and distinct water-closets, earth closets or privies shall be provided for the use of each sex, and plainly so designated, and no person shall be allowed to use any such closet or privy assigned to persons of the other sex. In all hotels where sleeping rooms are provided for female help, such rooms shall have proper heat and ventilation. * * * [H A S 1913 s 4025 as amended by 1915 No 3]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of factory inspectors.—The commissioner of labor shall be the chief factory inspector and the deputy commissioner of labor and deputy factory inspectors shall be factory inspectors in the meaning of this act [s 4009–4062]. At least two of such deputy factory inspectors shall be women. Said factory inspectors are hereby empowered to visit and inspect at all reasonable hours, as often as practicable or required, the factories, workshops and other manufacturing establishments in this State where the manufacture of goods is carried on, and all hotels where any person or persons are employed, also all stores in this State. Deputy factory inspectors shall report to the commissioner of labor at such time and manner as he may require. It shall also be the duty of the factory inspectors to enforce all the provisions of this act and to prosecute all violations of the same before a magistrate or in a court of competent jurisdiction in this State. [H A S 1913 s 4026]

Duties and powers of commissioner of labor.—For the purposes of carrying out the provisions of this act [s 4009–4062], the commissioner of labor is hereby authorized and required to cause at least an annual inspection of all manufacturing establishments, factories, hotels, workshops and stores. Such inspection may be made by the commissioner of labor, the deputy commissioner of labor, deputy factory inspectors, or such other person as may be appointed by the commissioner of labor for the purpose of making such inspection. Such persons shall be under the control and direction of the commissioner of labor. * * * [H A S 1913 s 4028]

Prosecution.—The prosecuting attorney of any county of this State is hereby authorized and shall, upon the complaint on oath of the commissioner of labor or any factory inspector, or of any citizen of the United States, if approved by any factory inspector, prosecute to termination before any court of competent jurisdiction, in the name of the people of the State, actions or proceedings against any person or persons reported to him to have violated any of the provisions of this act [s 4009–4062]. [H A S 1913 s 4029]

Powers of factory inspectors.—Factory inspectors shall have power to order all improvements herein specified, such as the repairing of elevators, the installment of wash and dressing rooms and water-closets. * * * [H A S 1913 s 4031]

Court decision.—A failure to install appliances ordered by the factory inspector is negligence and their absence is not an assumed risk.—Van Doorn *v.* Heap, 160 Mich. 199 (1910).

NOTE.—[Act No. 163, Acts of 1911, provides for the election of a mine inspector in any county where there are iron or copper mines, and Act No. 177, Acts of 1913, provides for the appointment of a coal-mine inspector, but the duties of both relate only to safety, and in the case of the coal-mine inspector to the supervision of weighing and measuring of coal.]

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MANUFACTURING ESTABLISHMENTS, STORES, OFFICES, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—All persons who employ females in stores, shops, offices or manufactories, as clerks, assistants, operatives or helpers in any business, trade or occupation carried on or operated by them, shall be required to procure and provide proper and suitable seats for all such females, and shall permit the use of such seats, rests or stools as may be necessary, and shall not make any arbitrary rules, regulations or orders preventing the use of such stools or seats at reasonable times. No employer of female help shall neglect or refuse to provide seats as provided in this act [s 4009–4062], nor shall make any rules, orders or regulations in their shops, stores or other places of business requiring females to remain standing when not necessarily in service or labor therein. [H A S 1913 s 4032]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls in saloons, etc., prohibited.—No person shall employ or permit any girl or woman to act as barkeeper, or to serve liquor, or to furnish music, or for dancing in any saloon [1] or barroom where spirituous or intoxicating liquors, or malt, brewed or fermented liquors are sold or kept for sale. [H A S 1913 s 4033]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited for girls; certain machinery.— * * * No female shall be employed in operating or using any of the wheels or belts specified in this section [wheels, buffers or belts mentioned in this act (s 4009–4062)]. [H A S 1913 s 4039]

REGULATED OCCUPATIONS

PENALTIES

Violation of act; hindering inspectors.—Any person who violates or omits to comply with any of the foregoing provisions of this act [s 4009–4062], or who interferes in any manner with the factory inspector in the discharge of his duties, or who suffers or permits any child or female to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not less than ten nor more than ninety days, or by both such fine and imprisonment in the discretion of the court. [H A S 1913 s 4062]

Opinion.—This act [1909 A 285; H A S 1913 s 4009–4062] was intended to cover, and does in fact cover, the subject matter of the prior enactments, acts 39 of 1885, 152 of 1887, 265 of 1889, and 113 of 1901 [H A S 1913 s 3901–3920], and in consequence the latter have been superseded thereby.—Attorney General (1913).

ALL OCCUPATIONS

MINIMUM AGE

Employment under 16 away from home locality without consent of parents and truant officer prohibited.— * * * It shall be unlawful for any person to make a tender of inducement to go away from the home locality to work, to any child under sixteen years of age unless the written consent of the parents of such child has been first obtained, as well as the consent of the truant officer or county agent of the board of corrections and charities for the locality where said child belongs; and in case such consent is obtained and the child goes abroad under the influence of the inducements so offered, such child under sixteen years of age shall be safely returned to its home at any time when its parents shall request, in writing, such return. * * * [H A S 1913 s 4105]

[1] Proprietor of saloon, etc., is prohibited by Howell's Annotated Statutes, 1913, section 3922 from permitting minor under 17 to remain in such place, and by s 5069 from allowing any minor to visit or remain in such place unless accompanied by father or guardian.

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Penalty.—Every person found guilty of violating the provisions of this act [s 4105–4107] shall be punished by a fine not exceeding twenty-five dollars or by imprisonment of not less than ten nor more than sixty days. [H A S 1913 s 4107]

RAILROADS[1]

MINIMUM AGE

Employment of telegraph operators under 19 prohibited.—It shall be unlawful for any common carrier by railroad, carrying freight or passengers between points in this State, to employ any telegraph operator who has not * * * attained the age of nineteen years. [H A S 1913 s 6818]

Application of act; exemptions.—The provisions of this act [s 6815–6823] shall not apply to any railroad company within this State nor the receiver or lessee thereof, whose line of railway is less than thirty miles in length, nor shall anything herein contained relieve any railroad company from the negligence of any of its employees. In case any railroad company is unable to hire a sufficient number of men having the experience for the respective positions specified in this act, at the average rate of wages paid by said company during the next preceding year, it shall be deemed a substantial compliance with this act if such company shall employ from among such men as are available those having the highest qualifications as to experience and efficiency. [H A S 1913 s 6822]

Penalty.—Any person who shall violate any of the provisions of this act [s 6815–6823] shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of not more than one hundred dollars or confined in the county jail not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court. [H A S 1913 s 6823]

Enforcement: duties and powers of railroad commission, etc.—This commission [railroad commission] shall inquire into any neglect or violation of the laws of this State by any such common carrier hereinbefore defined doing business therein, or by its officers, agents or employees thereof, and shall have the power and it shall be its duty to enforce the provisions of * * * all other laws relating to common carriers and report violations thereof to the attorney general. Upon the request of the commission it shall be the duty of the attorney general, or the prosecuting attorney of the proper county, to aid in any investigation, prosecution, hearing or trial had under the provisions of this act, and to institute and prosecute all necessary actions or proceedings for the enforcement of this act and of all other laws of this State relating to common carriers, and for the punishment of all violations thereof. * * * [H A S 1913 s 6564]

HOURS OF LABOR

Period of rest after 24 hours' work for certain employees.—No person, corporation, joint stock company or association of individuals owning or operating a line of railroad, in whole or in part, within this State, shall permit or require any conductor, engineer, fireman, brakeman or any trainman who has worked in any capacity for twenty-four hours to again go on duty or perform any kind of work until he has had at least eight hours' rest. [H A S 1913 s 6887]

Ten hours a day's labor on steam, surface, and elevated railroads; exceptions.—Ten hours' labor performed within twelve consecutive hours shall constitute a day's labor in the operation of all steam, surface and elevated railroads now owned and operated or hereafter owned and operated within this State: *Provided*, That this act [s 6887–6890] shall not apply to regular scheduled trains when completed within a less number of hours: *Provided further*, That the provisions of this act shall not apply to extra hours of labor performed by any conductor, engineer, fireman, brakeman or trainman in cases of unavoidable accident or delay caused by such accident. [H A S 1913 s 6888]

Compensation for overtime.—Every hour in excess of ten hours' labor performed in any one day by any conductor, engineer, fireman, brakeman or any trainman of any railroad company, corporation, joint stock company or association of individuals or person owning or operating a railroad within this State, who works under the direction of a superior or at the request of such person, company, corporation, joint stock company or association of individuals and who shall be required or permitted to work shall be deemed one-tenth of a day's labor and such conductor, engineer, fireman, brakeman or trainman shall receive pro rata compensation for said extra service in addition to his daily compensation. [H A S 1913 6889]

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[1] See court decision, page 7 (New York).

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Penalty.—Any person, agent or employee of such person, railroad company, corporation, joint stock company or association of individuals violating the provisions of this act [s 6887–6890], shall be guilty of a misdemeanor, and on conviction shall be punishable by a fine of not less than fifty and not to exceed one hundred dollars in the discretion of the court. [H A S 1913 s 6890]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 5 to 20.—It shall be the duty of all school boards and boards of education in this State to make an annual school census in their respective districts or cities as is provided in this section:

First, in all school districts, except in incorporated cities having a population of three thousand or over, within fifteen days next previous to the first day in June of each year, the director, or such other reputable and capable person or persons as the district board may appoint, shall take the school census of the district and make a list in writing of the names and ages of all the children who are five years of age, and under twenty years of age, whose parents or legal guardians reside therein, the names of said parents or guardians, giving street and residence number in villages and cities, in such form as the superintendent of public instruction may prescribe, and said list shall be verified by the oath or affirmation of the person taking such census, by affidavit appended thereto or endorsed thereon, setting forth that the person or persons taking such census made a house to house canvass of the entire district or portion thereof canvassed by said enumerator and that it is a correct list of the names of all the children between the ages aforesaid residing in the district. Said affidavit may be made before the township clerk or other officer authorized by law to take acknowledgments; and said verified census list shall be returned with the annual report of the director to the township clerk before the first Monday in August thereafter. The director, or other person employed by the board of education, may receive as compensation for taking said census, such sum as the school board may direct, not exceeding one hundred dollars;

Second, in all incorporated cities or special legislative districts having a population of three thousand or over, within twenty days next previous to the first day in June of each year, the secretary of the board of education, or other reputable and capable person or persons employed by the board of education, shall take the school census of said city as follows:

(a) The census shall be taken and reported by wards;

(b) Each enumerator shall make a list in writing of the names and ages of all children who are five years of age and under twenty years of age, whose parents or legal guardians reside in the ward or portion of the ward allotted to said enumerator, together with the names of said parents or legal guardians, giving the street and residence number in each case, said list to be in such form as the superintendent of public instruction may prescribe, and it shall be verified by the oath or affirmation of the person making the same, by affidavit appended thereto or endorsed thereon, setting forth that the person or persons taking such census made a house to house canvass of the entire ward or portion thereof canvassed by said enumerator and that it is a correct list of the parents or legal guardians, their street and residence number, the names and ages of all the children of the ages aforesaid residing in the ward or part thereof as allotted to him.

* * * * * * *

Fourth, in cities having a population of three thousand or over, the secretary of the board of education and the several enumerators shall, immediately after the first day in June of each year, compare, correct and compile the entire census. The said secretary of the board of education shall then attach thereto his affidavit that the several enumerators were duly employed by the board of education and that said census has been properly compared, corrected and compiled; and forthwith, and before the second Monday in July thereafter, transmit to the superintendent of public instruction the entire census, together with his affidavit and the affidavits of the several enumerators, and at the same time he shall transmit to said superintendent of public instruction the annual statistical and financial report of said city or district. [H A S 1913 s 9908]

Penalty for refusing information or giving false information.—Any person who shall refuse to give any census enumerator of school children the necessary information for the compiling of a correct census or who shall intentionally give to such enumerator

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any false information as to the names or ages of school children or as to the names or residence of the parents or guardians of any school children, or any school census enumerator who shall perform his duties carelessly or negligently or shall include in the list of names of school children any children who are not actually residents of the city or district, shall be guilty of a misdemeanor, and upon conviction thereof in a court of competent jurisdiction, shall be liable to a fine of not less than five dollars nor more than fifty dollars, or to imprisonment in the county jail for not more than twenty days, or [to] both such fine and imprisonment in the discretion of the court. [H A S 1913 s 9909]

COMPULSORY SCHOOL ATTENDANCE.

Children from 7 to 16; exemption upon completion of 8 grades if regularly employed and from 14 to 16 on account of poverty compelling employment; other exemptions.—Every parent, guardian or other person in the State of Michigan, having control and charge of any child between the ages of seven and sixteen years, shall be required to send such child to the public schools during the entire school year, and such attendance shall be continuous and consecutive for the school year fixed by the district in which such parent, guardian or other person in parental relation may reside: *Provided*, That in the following cases children shall not be required to attend the public schools:

(a) Any child who is being taught in a private or parochial school such branches as are usually taught in the public schools to children of corresponding age, or who, upon completion of the work in such schools, shall present satisfactory evidence to the county commissioner of schools, and in appropriate cases, to the superintendent of schools, that he has completed sufficient work to entitle him to an eighth grade diploma;

(b) Any child who has received an eighth grade diploma from the public schools;

(c) Any child who is physically unable to attend school. If the truant officer is notified of the nonattendance of any child at school, and he shall find the one in parental control claiming that such child is physically unable to attend school, the truant officer may secure a written statement of a competent physician, certifying that such child is physically unable to attend school;

(d) Children over fourteen years of age whose services are essential to the support of their parents may be excused by the county commissioner of schools or city superintendent of schools from attendance at school, on the recommendation of the board of education of the district in which such children reside, and said board shall certify to the officers herein mentioned the facts in all such cases;

(e) Children under nine years of age, whose parents do not reside within two and one-half miles, by the nearest traveled road, of some public school: *Provided*, That if transportation is furnished for pupils in said district, this exemption shall not apply;

(f) Any child twelve to fourteen years of age while in attendance at confirmation classes conducted for a period of not to exceed five months in either of said years: *Provided however*, That any child claiming exemption from attending school under subdivisions (a) or (b) hereof, shall secure such permit as may be required under the statutes of Michigan covering the employment of minors, and shall be regularly employed at some lawful work if physically able to do so. [H A S 1913 s 10110 as amended by 1913 No 47]

Enforcement: appointment, duties, and powers of truant officers.—The county commissioner of schools in each county shall select a person of good moral character to act as truant officer for the county. The person so selected shall file with the county clerk his acceptance and oath of office and a bond in the sum of one thousand dollars, with two sufficient sureties to be approved by the county clerk. The person so selected shall be known as the county truant officer, and he shall have all the powers of a deputy sheriff, and he shall perform the duties of truant officer in all school districts of the county when directed to do so by the county commissioner of schools, except as hereinafter provided: *Provided*, That in cities having a duly organized police force it shall be the duty of the police authorities, at the request of the board of education, to detail one or more members of such police force to perform the duties of the truant officer in such city, but this provision shall not be construed as prohibiting such board of education from appointing any citizen not a police officer as truant officer: *Provided further*, That in graded school districts the board of education shall have authority to appoint one or more truant officers and fix the compensation of the same, said compensation to be paid by the district * * * . [H A S 1913 s 10111]

Enforcement: duties of truant officers and school authorities; penalty for parent, etc., for violation of act.—(a) It shall be the duty of the school director of all school districts,

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except in city, graded and township districts, to provide the teacher, at the commencement of the school, with a copy of the last school census, together with the names and addresses of the persons in parental relation, also address of the county commissioner of schools. The teacher shall, at the opening of school and at such other times as may be necessary, compare said census list with the enrollment of the school and report to the county commissioner of schools the names of the parents or other persons in parental relation whose children of the ages hereinbefore mentioned are not in regular attendance at school, also the names of parents or other persons in parental relation who have children of school age not included in such census and who do not attend school;

(b) In all city, graded and township districts, the secretary of the board of education shall, at the commencement of school, furnish a copy of the last school census to the superintendent of schools in such city, together with the name and address of the truant officer under whose jurisdiction they act, and it shall be the duty of said uperintendent at the opening of school to compare said census list with the enrollment of the school or schools, and from time to time as it may be necessary report to the proper truant officer the names and addresses of any parents or other persons in parental relation whose children of the ages hereinbefore mentioned are not in regular attendance at the public schools, also names of parents or others in parental relation whose children are not in the school and whose names are not included in such census;

(c) It shall be the duty of the truant officer of the city or district, whenever notified by the teacher, superintendent, or other person or persons of violations of this act [s 10110–10116], and the county truant officer, when notified by the commissioner of schools, to investigate all such cases of truancy or non-attendance at school, and if the children complained of are not exempt from the provisions of this act under the conditions named in section one [10110], then he shall immediately proceed as is provided insection four [10113] of this act * * *;

(d) In case any parent or other person in parental relation shall fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor, and shall on conviction thereof be fined not less than five dollars nor more than fifty dollars, or imprisoned in the county or city jail for not less than two nor more than ninety days, or both such fine and imprisonment in the discretion of the court. [H A S 1913 s 10112]

Enforcement: duties of school authorities.—

* * * * * * *

(d) It shall be the duty of all school officers, superintendents, teachers or other persons to render such assistance and furnish such information as they may have at their command to aid such truant officer in the performance of his official duty. [H A S 1913 s 10113]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature by minors prohibited; penalty for employer, parent, etc.—* * * Any person who in any manner hires, uses, or employs any minor child to sell, or give away, or in any manner to distribute, or who having the care, custody, or control of any minor child, permits such child to sell, give away, or in any other manner to distribute any book, magazine, pamphlet, newspaper, story paper, writing, paper, picture, drawing, photograph, or other article or matter coming within the descriptions of articles and matter mentioned in * * * this section * * * [obscene and indecent literature, etc.], shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail not more than three months, or by fine not exceeding one hundred dollars, or by both such fine and imprisonment in the discretion of the court. [H A S 1913 s 14787]

Employment agencies forbidden to send applicants to immoral places.—No employment agency or person connected therewith shall direct any person applying for employment to any house of prostitution or immoral resort. No licensed agency shall be conducted in, or in connection with, any place where intoxicating liquors are sold. [1913 No 301 s 7]

Penalty.—Any person who violates or omits to comply with any provision of this act, or who interferes in any manner with the commissioner of labor or any of his deputies in its enforcement shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars or by imprisonment for not less than ten nor more than ninety days or by both such fine and imprisonment in the discretion of the court. [1913 No 301 s 8]

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MINNESOTA

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; exemptions upon completion of 8 grades and from 14 to 16 under certain conditions; other exemptions.—Every child between eight (8) and sixteen (16) years of age shall attend a public school, or a private school, in each year during the entire time the public schools of the district in which the child resides are in session: *Provided*, That in districts where the entire term of school is of unequal length in different schools, such child shall be required to attend school as herein provided during at least the entire time of the shorter term. Such child may be excused from attendance upon an application of his parent, guardian, or other person having control of such child, to any member of the school board, truant officer, principal, or city superintendent, for the whole or any part of such period, by the school board of the district in which the child resides, upon its being shown to the satisfaction of such board:

1. That such child's bodily or mental condition is such as to prevent his attendance at school or application to study for the period required; or

2. That such child has already completed the studies ordinarily required in the eighth grade; or

3. That there is no public school within reasonable distance of his residence, or that conditions of weather and travel make it impossible for the child to attend: *Provided first*, That any child fourteen (14) years of age or over, whose help may be required in any permitted occupation in or about the home of his parent or guardian may be excused from attendance between April 1 and November 1 in any year; but this proviso shall not apply to any cities of the first and second class: *Provided second*, That nothing in this act [s 2979–2985] shall be construed to prevent a child from being absent from school on such days as said child attends upon instruction according to the ordinances of some church.

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The clerk, or any authorized officer of the school board shall issue and keep a record of such excuses, under such rules as the board may from time to time establish. [General Statutes 1913 section 2979]

Enforcement: duties of school boards and teachers.—It shall be the duty of each school board, through its clerk or other authorized agent or employee, to report the names of children between six (6) and sixteen (16) years of age, with the excuses, if any, granted in such district, to the principal teacher thereof, within the first week of school, and any subsequent excuses granted shall be forthwith reported in the same manner. The principal teacher shall provide the teachers in the several schools under his supervision, with the necessary information for the respective grades of school, relating to the list of pupils with excuses granted. On receipt of the list of such pupils of school age and the excuses granted, the principal teacher in a common, semigraded or consolidated rural school shall report the names of children not excused, who are not attending school, with the names and addresses of their parents, to the county superintendent of schools within five days after receiving the clerk's report. The several teachers in a State graded and State high school shall report to the principal or to the city superintendent, in like manner. [G S 1913 s 2980]

Enforcement: duties of school authorities; prosecutions.—The county superintendent of schools shall forthwith notify the parent, guardian or person in charge to send such child to school of whose unexcused absence he has been informed, and upon their neglect or refusal to comply with the notification, the county superintendent shall, upon receipt of information of such noncompliance, notify the county attorney of the facts in each case. The principal of a graded school, or the superintendent of a district maintaining a high school, or a city superintendent, shall proceed in like manner as provided in this section respecting the county superintendent of schools. It shall be the duty of the principal teacher or other person in charge of any private school to make reports at such times and containing such information as is herein required, respecting public schools. Such reports shall be made to the county superintendent of schools in whose county such private school is located, except where such private school is located in a city or in a district maintaining a high school, or a graded school, such reports shall be made to the city superintendent of schools or to the superintendent or principal of the high or graded school. The county superintendent, city superintendent, principal of graded school or superintendent of a district maintaining a high school, as the case may be, shall upon request of the county attorney make and file a criminal complaint against the person or persons neglecting or refusing to comply with the provisions of this act [s 2979–2985] relating to the sending of a child or children to school, in any court in said county having jurisdiction of the trial of misdemeanors, and upon making of such complaint a warrant shall be issued and proceedings and trial be had as provided by law in cases of misdemeanors. All prosecutions under this chapter shall be conducted by the county attorney of the county wherein the offense is committed. [G S 1913 s 2981]

Opinions.—The fact that certain officials are specifically mentioned and required to make complaint, when requested so to do by the county attorney, does not preclude any other person from making such complaint. A factory inspector, or, in fact, any citizen who knows of a law being violated has the right and privilege to swear to a complaint and thus institute criminal proceedings.—Attorney General (1912).

Penalty; parent, employer, etc.—Any person who shall refuse or fail to send or keep in school any child or children of whom he has legal charge or control, and who is required by law to attend school, when notified so to do as hereinbefore provided, and any person who induces or attempts to induce any child unlawfully to absent himself from school, or who knowingly harbors or employs while school is in session any child unlawfully absent from school, shall be guilty of a misdemeanor, and shall be punished by a fine of not to exceed fifty (50) dollars, or by imprisonment in the county jail for not more than thirty (30) days. [G S 1913 s 2982]

Enforcement: duties of commissioner of labor.—The commissioner of labor and his assistants shall assist in the enforcement of the provisions of this act [s 2979–2985], and shall have authority to examine the excuses granted under this act, to make investigation into the causes for which excuses have been granted, and to revoke and cancel any that may be found to be granted without proper or sufficient cause. [G S 1913 s 2984]

Enforcement: appointment, duties, and powers of truant officers.—The board of any district may appoint and remove at pleasure truant officers, who shall investigate all cases of truancy or nonattendance at school, make complaints, serve notice and process, and attend to the enforcement of all laws and school regulations respecting truant, incorrigible, and disorderly children, and school attendance. Whenever any truant officer learns of any case of habitual truancy or continued nonattendance of

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any child hereby required to attend school he shall immediately notify the person having control of such child to forthwith send to and keep him in school. He may arrest without warrant and take to school any such child, and shall act under the general supervision of the board, or, when directed by the board, under that of the city or district superintendent. He shall transmit annually on or before the first day of July, each year, to the State superintendent of public instruction, a report of the number of cases of truancy and nonattendance investigated by him and the disposition made in each case. Such officer shall receive a salary, fixed by the board appointing him, but no fees. [G S 1913 s 2986]

SCHOOL CENSUS

Enumeration of children from 6 to 16.—A complete school census shall be taken in every school district, common, independent and special, between July 1 and October 1, of all children between six (6) and sixteen (16) years of age, which census shall show the name and date of birth of each person required to be enumerated, and the name and address of his parent, guardian or other person having charge. The school census shall be taken by the clerk or [of] the school board, or by some other person or persons appointed by the school board. Such person or persons taking such census shall make two extra copies thereof, shall certify to the school board the correctness of the enumeration and the information therein contained. The clerk shall retain the original in his office, send one copy to the county superintendent, and one copy to the principal teacher, principal or city superintendent of the school district, before the first day of school of each school year, or as soon as said census has been taken. * * * [G S 1913 s 2985]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Establishment of department of labor and industries; appointment of female inspectors.—The department of labor and industries shall consist of a bureau of statistics, a bureau of factory inspection, a bureau of women and children and a bureau of State free employment, and its officers shall consist of a commissioner of labor, an assistant commissioner of labor, a chief statistician and a woman superintendent of the bureau of women and children, and the department shall have its office in the State capitol. There shall also be appointed * * * four female inspectors for the bureau of women and children * * *. [G S 1913 s 3812]

Appointment of officers and employees.—* * * All other officers and employees of the department except the assistant labor commissioner and one stenographer shall be appointed by the labor commissioner from a list of persons whose competency shall have been certified to by a board of examiners * * * and shall remain in office until removed by the commissioner. * * * No removal of any officer or employee covered by this act [s 3812–3825] shall be made except for neglect of duty, incompetence, insubordination, intoxication or immorality: *Provided*, That all officers of the department shall hold office until their respective successors qualify. [G S 1913 s 3813]

Qualifications for superintendent of bureau of women and children, etc.—* * * No person shall be appointed superintendent of the bureau of women and children who is not competent to investigate and report to the commissioner of labor upon the conditions under which women and children are at work in all factories, workshops, hotels, restaurants, mercantile establishments and other places where women and children are employed, with such recommendations as will promote the health and welfare of the women and children so employed in this State. * * * No person shall be eligible to appointment to any position in the department of labor, who, in addition to passing such examinations or meeting such requirements as are specified by law, is unable to satisfy the board of examiners and the appointing officers of his moral, mental and physical fitness to hold such position. [G S 1913 s 3814]

Definitions.—The words "factory" and "mill," as used in this chapter [s 3812–3825], shall mean any premises where water, steam, electrical or other mechanical power is used in the aid of manufacturing or printing process there carried on. The term "workshop," as so used, shall mean any premises, room or place, not factory or mill as above defined, wherein manual labor is exercised by way of trade or for purpose of gain in or incidental to a process of making, altering, repairing, cleaning, ornamenting, finishing or adapting for sale or use any article or part thereof. The

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term "engineering work," as so used, shall mean any work of construction, operation, alteration, or repair of a railroad or street railway, of the works or offices of any gas, telephone, telegraph, water, electric light, or mining company, or upon any sewer, bridge, tunnel, or building. The term "mercantile establishments" shall mean any wholesale or retail establishment, theater, bowling alley, pool room or other place of amusement, hotels, restaurants, photograph galleries, warehouses. But nothing herein shall interfere with the powers conferred by law upon the railroad and warehouse commissioners or the county mine inspectors. [G S 1913 s 3818]

Duties and powers of department of labor and industries, and of bureau of women and children.—The department shall enforce all laws regulating the employment of minors and women, the protection of the health, lives, limbs, and rights of the working classes, and those prescribing the qualifications of persons in trades and crafts, and shall be clothed with the same powers for the enforcement of the compulsory education and truancy laws as those conferred on truant officers by * * * [G S 1913 s 2986]. It shall be empowered to gather statistics relating to all branches of labor, to labor troubles and unions, and to the economic and social conditions of the laboring classes. In the discharge of its duties the members and employees of the department may enter any factory, mill, workshop, warehouse, mercantile establishment, office, engineering work or other place where persons are employed, at all reasonable times, and give such direction as may be necessary to enforce the laws. They may also enter any place where intoxicating beverages are sold, for the purpose of enforcing the child labor and school attendance laws or other duties imposed upon them. Any member of the department of labor and industries may issue subpoenas and take testimony, and compel the attendance of witnesses, and shall have authority to administer oaths and take testimony under oath, but no person shall be compelled to attend as a witness unless he is paid the fees provided for witnesses in the district court. The bureau of women and children shall have power to enforce and cause to be enforced, by complaint in any court or otherwise, all laws and local ordinances relating to the health, morals, comfort and general welfare of women and children. [G S 1913 s 3819]

NOTE.—[Sections 3924-3936 of the General Statutes of 1913 provide that any county in which there are at least five mines may appoint an inspector of mines, but his specific duties relate only to safety and sanitation.]

PENALTIES

Hindering inspectors, etc., misdemeanor.—Any officer, agent or employee of the department who shall disclose the name of any person supplying information at the request of the department shall be guilty of a misdemeanor. Any person who, having been duly subpoenaed, shall refuse to attend or testify in any hearing under the direction of said commissioner shall be guilty of a misdemeanor. Any owner or occupant of any factory, mill, workshop, engineering work, store or other place enumerated in section * * * [3819] of this act [s 3812–3825], or agent of such person, who shall refuse to admit thereto any officer, agent or employee of the department seeking entrance in the discharge of his duty, shall be guilty of a misdemeanor. Any person, firm or corporation, or any of its officers or agents, who or which shall refuse to file with the department such reports as are required by it under the provisions of this act shall be guilty of a misdemeanor.[1] [G S 1913 s 3825]

ALL OCCUPATIONS

HOURS OF LABOR

Ten hours a day for children under 14.—Unless a shorter time be agreed upon, the standard day's work for hire shall be ten hours. Every employer and other person having control who shall compel any person, or who shall permit any minor under the age of fourteen, to labor more than ten hours in any one day, shall be guilty of a misdemeanor,[1] but persons over fourteen may labor extra hours for extra pay; and this section shall not apply to farm laborers, to domestic servants employed by the week or month, or to persons engaged in the care of live stock. [G S 1913 s 3831]

[1] For penalty for misdemeanor, see page 16 (General Statutes, section 8482).

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RAILROADS[1]

HOURS OF LABOR

Period of rest after 14 hours' work for engineers and firemen; exceptions; misdemeanor.—Locomotive engineers and firemen shall not be required to serve as such for more than fourteen consecutive hours. At least nine hours, or as many hours less as is asked for by said engineers or firemen, shall be allowed for rest before being again required to go on duty. But nothing herein shall permit any such engineer or fireman to desert his locomotive when, by reason of accident or of delay caused by the elements, another can not immediately be procured to take his place, nor prohibit him, in any case, from serving longer than fourteen hours if he so desires. Every superintendent or other officer or employer of a railway company who shall order or require any service in violation of this section shall be guilty of a misdeamenor,[2] and such company shall be liable to any engineer or fireman for injuries sustained by him in consequence of such violation. [G S 1913 s 3834]

Period of rest after 16 hours' work for certain other employees; exceptions.—It shall be unlawful for any railroad company within the State of Minnesota, or any of its officers or agents, to require or permit any employee engaged in or connected with the movement of any rolling stock, engine or train, to remain on duty more than sixteen consecutive hours, or to require or permit any such employee who has been on duty sixteen consecutive hours to perform any further service without having had at least eight hours' rest, or to require or permit any such employee to be on duty at any time to exceed sixteen hours in any consecutive twenty-four hours: *Provided however*, That this section shall not apply to work performed in the protection of life or property in cases of accident, wreck or other unavoidable casualty: *And provided further*, That it shall not apply to the time necessary for trainmen to reach a resting place when an accident, wreck, washout, snow blockade or other unavoidable cause has delayed their train. [G S 1913 s 3835]

Penalty for violation of section 3835; enforcement: duties and powers of State railroad and warehouse commission.—Any officer of any railroad company in the State of Minnesota violating any of the provisions of this act [s 3835–3836] shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars for each offense, or by imprisonment in the county jail not more than sixty days, or both fine and imprisonment at the discretion of the court. It shall be the duty of the State railroad and warehouse commission, upon complaint properly filed with it alleging a violation of this act, to make a full investigation in relation thereto, and for such purpose it shall have the power to administer oaths, interrogate witnesses, take testimony and require the production of books and papers, and if such report shall show a violation of the provisions of this act the commission shall, through the attorney general, begin the prosecution of all parties against whom evidence of violation of the provisions of this act is found; but this act shall not be construed to prevent any other person from beginning prosecution for violation of the provisions hereof. [G S 1913 s 3836]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every employer of females in any mercantile, manufacturing, hotel, or restaurant business, and every agent in charge of any such business, shall provide and maintain suitable seats in the room where they work, and permit such use thereof by them as may be necessary for the preservation of their health. [G S 1913 s 3837]

Enforcement: duty of labor commissioner; evidence of violation.—The certificate or testimony of any licensed and practicing physician to the effect that, in his opinion, any person is not complying with the provisions of § 3837 in respect to a specified employee, shall be prima facie evidence of a violation thereof. The labor commissioner, upon information of any such violation, shall forthwith cause the matter to be brought to the attention of the proper authorities, and assist in procuring evidence thereof; but this shall not prevent anyone else from making complaint and furnishing evidence, nor interfere with any State or county officer in the performance of his duty. [G S 1913 s 3838]

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[1] See court decision, page 7 (New York).
[2] For penalty for misdemeanor, see page 16 (General Statutes 1913, section 8482).

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FACTORIES, MILLS, WORKSHOPS, MINES, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations or in any occupation during school hours; exceptions.—No child under fourteen (14) years of age shall be employed, permitted or suffered to work at any time, in or in connection with any factory, mill or workshop, or in any mine; or in the construction of any building, or about any engineering work; it shall be unlawful for any person, firm or corporation, to employ or exhibit any child under fourteen (14) years of age in any business or service whatever, during any part of the term during which the public schools of the district in which the child resides are in session, except pursuant to consent of the mayor or president of the council of the village, for participation by children in theatrical exhibitions or concerts, as provided in section 10 [3848] hereof. [G S 1913 s 3839]

ALL OCCUPATIONS

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16 during school hours; certificate to be returned to issuing office.—It shall be unlawful for any person, firm or corporation to employ any child over 14 years of age, and under 16 years of age, in any business or service whatever, during [any part of the term during][1] which the public schools of the district in which the child resides are in session, unless the employer procures and keeps accessible to the truant officer of the town or city and to the commissioner of labor, assistant commissioner of labor, factory inspectors and assistants, an employment certificate as herein prescribed and a list of all such children employed. On termination of the employment of a child, such certificate shall be forthwith surrendered by the employer to the official who issued the same. [G S 1913 s 3840]

Court decisions.—A former section on the above subject was held constitutional.—Fitzgerald *v.* International Flax Twine Co., 104 Minn. 138, 116 N. W. 475 (1908). Under a former section, employment of a child between 14 and 16 without procuring the required certificate, renders the employer liable for resulting injury.—Perry *v.* Tozer, 90 Minn. 431, 97 N. W. 137 (1903).

School authorities to issue certificates; exceptions.—An employment certificate shall be issued only by the superintendent of schools, or by someone authorized by him so to do, or, where there is no superintendent of schools, by the chairman of the school board or the chairman of the board of education, or by a person authorized by such chairman: *Provided*, That no superintendent of schools, member of the school board or board of education or other person authorized, as aforesaid, shall have authority to issue such certificates for any child then in or about to enter his own employment or the employment of a firm or corporation of which he is a member, officer or employee. [G S 1913 s 3841]

Age, school, and health records required; method of issuing; educational requirements.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and retained in his possession for the inspection of the public, the following papers duly executed: (1) The school record of such child, properly filled out and signed by the principal of the school which the child last attended, and if there is no principal, then by the teacher of such child in said school which shall be furnished on demand to a child entitled thereto. (2) A duly attested transcript of the births [sic] which shall be conclusive evidence of the birth of such child. (3) The affidavit of the parent or guardian or custodian of the child, showing the place and date of birth of such child, but such affidavit shall not be required unless the last mentioned transcript of the certificate of birth can not be produced; which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child has personally appeared before and been examined by the officer issuing the same and until such officer shall, after making an examination, make and retain for inspection by the public, a statement that, in his opinion, the child is 14 years of age or upwards, and until such officer shall have received a certificate from a reputable practicing physician duly designated for such purpose by the school board affirming that the child has reached the normal development of a child of its

[1] The words within the brackets are omitted in the law, apparently by mistake. They occur in the original law, passed in 1907, but not in the law as amended in 1912.

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age, and is in sound health and is physically able to perform the work which it intends to do. Every such employment certificate shall be signed in the presence of the officer issuing the same, by the child in whose name it is issued, and shall only be issued to children who have completed the studies taught in the common schools of the district in which they reside; or, a parochial or private school in which the curriculum is equal to the common schools of the district: *Provided however*, That no child shall be granted such certificate who is not able to read and write simple sentences in the English language. [G S 1913 s 3842]

Contents of certificate.—Such employment certificate shall state the date and place of birth of the child, and describe the color of the hair and eyes and height and weight and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and retained for inspection by the public and that the child named in such certificate has appeared before the officer signing the certificate and been examined. [G S 1913 s 3843]

Lists to be furnished commissioner of labor; misdemeanor.—The superintendent of schools and chairmen of school boards and of the boards of education, shall transmit between the first and tenth day of each month to the office of the commissioner of labor of the State a list of the names of the children to whom certificates have been issued. The report shall give the date of issuing the certificate and the date of expiration; the age and sex of the child; the name of the employers and the nature of the occupation the child is permitted to engage in, and any one failing to transmit the list herein provided for, shall be guilty of a misdemeanor.[1] [G S 1913 s 3844]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No person under the age of 16 years shall be employed, or suffered or permitted to work at any gainful occupation more than 48 hours in any one week, nor more than 8 hours in any one day; or before the hour of 7 o'clock in the morning or after the hour of 7 o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the commissioner of labor of the State, and the employment of any minor for longer time in any day so stated, or between the hours of seven o'clock in the evening and seven o'clock in the morning shall be deemed a violation of this section. [G S 1913 s 3845]

NOTE.—[For prohibition of night work under 18 "outside the family of his residence," see section 8682.]

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTY

Violation of act; retaining certificates; false statements; failure to produce certificate to be evidence of violation.—Whoever employs a child under 16 years of age, and whoever, having under his control a child under such age, permits such child to be employed in violation of sections 1, 2 or 7 [3839, 3840, 3845] of this act [s 3839–3850], shall, for such offense, be fined not less than $25 nor more than $50; and whoever continues to employ any child in violation of any of said sections of this act after being notified by truant officer of [or] commissioner of labor of the State, shall for every day thereafter, that such employment continues, be fined not less than $5 nor more than $20 additional for each day that such employment continues. A failure to produce to a truant officer or any official of the labor department, any employment certificate or list required by this act shall be prima facie evidence of the illegal employment of any person whose employment certificate is not produced, or whose name is not so listed. Any corporation or employer retaining employment certificates in violation of section 2 [3840] of this act shall be fined $10. Every person authorized to sign the certificate prescribed by section 5 [3843] of this act, who knowingly certifies any false statement therein shall be fined not more than $50. [G S 1913 s 3846]

Duties and powers of labor department officials and truant officers; hindering officials a misdemeanor.—Officials of the labor department and the truant officers may visit all factories, mills, workshops, mines, mercantile establishments and all other places

[1] For penalty for misdemeanor, see page 16 (General Statutes 1913, section 8482).

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where labor is employed and ascertain whether any minors are employed contrary to the provisions of this act [s 3839–3850], and they shall report any case of such illegal employment to the school superintendent or to the chairmen of the school board or board of education and to the commissioner of labor of the State. Officials of the labor department and truant officers may require that the employment certificates and lists provided for in this act of minors employed, shall be produced for their inspection. Complaints for offenses under this act may be brought by any official of the State labor department, and any one who shall refuse to allow visitation in this section provided for, shall be guilty of a misdemeanor.[1] [G S 1913 s 3847]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE AND THEATRICAL PERMITS

Specific occupations prohibited under 16; machinery, dangerous processes, elevators, theaters, saloons, etc.; exceptions; permits required from 10 to 16 for theatrical exhibitions, etc.; method of issuing and revocation of permits; constant standing prohibited for girls under 16; misdemeanor.—No children under the age of sixteen (16) years shall be employed at sewing belts, in any capacity whatever; nor shall any children adjust any belt to any machinery; they shall not oil, or assist in oiling, wiping or cleaning machinery, they shall not operate or assist in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alleys, they shall not operate, or assist in operating dough grates [sic], or cracker machinery of any description; wire or iron straightening machinery, nor shall they operate, or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar [calender] rolls in rubber manufacturing; nor shall they operate, or assist in operating laundry machinery; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacturing of paints, colors or white lead; nor shall they be employed in any capacity whatever in operating, or assisting to operate any passenger or freight elevators; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or in any other employment dangerous to their lives, or their health or morals; nor in any theater, concert hall, saloon, or place of amusement: *Provided*, That this section shall not apply to the employment of any child as a singer or musician in a church, school or academy, or in teaching or learning the science or practice of music; or as a musician in any concert, or in a theatrical exhibition with the written consent of the mayor of the city, or the president of the council of the village, where such concert or exhibition takes place. Such consent shall not be given at any time for any child, local or transient, under ten years of age, nor in any case unless written application be made to the officer empowered to give such consent at least seventy-two (72) hours previous to any performance for which such consent may be given. Such application and the consent based thereon shall specify the name of the child, its age, and the name and residence of its parents and guardians, the nature, kind, duration and number of performances desired or permitted, together with the places and character of the exhibition. The mayor of the city, or president of the council of the village, may grant such consent, and shall at least forty-eight (48) hours before the first performance or exhibit forward to the commissioner of labor and to the secretary of the Minnesota child labor committee, a notice of said application and consent; and if it shall appear to such commissioner or secretary, or assistants, that such consent is in violation of any existing law, or that the character of the performance is such as to be dangerous to the life, or limb, or injurious to the health or morals of such child, then the commissioner of labor shall have power to suspend the operation of such consent pending investigation, and shall have power upon such investigation to revoke such consent. The applicant shall be promptly notified of any suspension or revocation of a permit, and of the time and place of any proposed investigation, and shall have the right to appear at such investigation and be heard. If a permit be revoked for any reason

[1] For penalty for misdemeanor, see page 16 (General Statutes, 1913, section 8482).

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other than the unsuitableness of the proposed place, the child for whom said permit is requested shall not be permitted to appear in the proposed exhibition at any point within this State for a period of one year thereafter; and the fact that a permit may be thereafter granted by a mayor or president of the council for such child to appear in such exhibition shall not be a bar to a prosecution for violation of this act [s 3839–3850]. But no such consent shall be construed to authorize any violation of paragraphs one, three and four of section * * * [8682]; nor shall females under sixteen (16) years of age be employed in any capacity where such employment compels them to remain standing constantly: *Provided*, That in any action brought against an employer of any child under sixteen (16) years of age on account of injuries sustained by the child while so employed, if the employer shall have obtained, and kept on file in like manner as herein provided for employment certificates, an affidavit of the parent or guardian, stating in substance that the child is not less than sixteen (16) years of age, such employment shall not be deemed a violation of this act. Any person employing any child in violation of the provisions of this section shall be guilty of a misdemeanor.[1] [G S 1913 s 3848]

NOTE.—[See sections 3870, 3871, and 3881.]

Court decision.—Under a former section on the above subject, it was held that the employment of a boy in violation of the statute made a prima facie case of negligence on the part of the employer.—Jacobson *v.* Merrill & Ring Mill Co., 107 Minn. 74, 119 N. W. 510 (1909).

MESSENGERS

MINIMUM AGE AND HOURS OF LABOR

Employment of girls under 21 prohibited; night work prohibited for boys under 18; misdemeanor.—No boy under the age of 18 years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages before 5:00 o'clock in the morning or after 9:00 o'clock in the evening of any day; and no girl under the age of 21 years shall be thus employed at any time. Any person employing any child in violation of the provisions of this section shall be guilty of a misdemeanor.[1] [G S 1913 s 3849]

ALL OCCUPATIONS

HEALTH OF MINORS

Certificate of physical fitness required under certain conditions; failure to produce certificate, or employment in violation, a misdemeanor.—In case any child appears to be unable to perform the labor at which he or she is employed, the officials of the labor department or truant officers, shall require the employer of such child to procure a certificate from a reputable practicing physician duly designated for such purpose by the school board, affirming the physical fitness of the child for such work, and a child as to whom such certificate can not be obtained shall not be employed. Any person refusing to produce the certificate herein required upon demand, or who shall employ a child when a certificate has been procured stating that such child is physically unable to work, shall be guilty of a misdemeanor.[1] [G S 1913 s 3850]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Ten hours a day, 58 a week, in mercantile establishments, restaurants, etc.; 9 hours a day, 54 a week, in manufacturing or mechanical establishments; 9 hours a day, 54 a week, in telephone and telegraph establishments in certain cities; canning perishable fruits, grains, and vegetables excepted; other exceptions; hours to be posted.—No female shall be employed in any mercantile establishment, restaurant, lunch room or eating house or kitchen operated in connection therewith more than ten hours in any one day or fifty-eight hours in any one week or in any mechanical or manufacturing establishment more than nine hours in any one day or fifty-four hours in any one week, or in any telephone or telegraph establishment more than nine hours in any one day or fifty-four hours in any one week[2] in cities of the first and second class: *Pro-*

[1] For penalty for misdemeanor, see page 16 (General Statutes, 1913. section 8482).

[2] The absence of a comma makes the limitation to cities of the first and second class appear to apply only to telegraph and telephone establishments, but the law in its entirety is interpreted to apply only to such cities.

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vided, That a different apportionment of hours may be made for the sole purpose of giving a shorter day's work for one day of the week: *And further provided*, That the provisions of this act [s 3851–3856] shall not apply to employment required in the canning or otherwise preserving of perishable fruits, grains or vegetables where the period of operating an establishment requiring such employment does not exceed six weeks in duration: *Provided further*, That females may be employed in retail mercantile establishments not more than eleven hours on Saturday each week, but no case to exceed a total of more than fifty-eight hours in any one week. Every employer shall post in a conspicuous place in every room in which such persons are employed a printed notice stating the number of hours' work, and the hours when the time allowed for meals begins and ends. The printed forms of such notices shall be provided by the commissioner of labor. The employment of such person at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost on a previous day of the same week in consequence of the stopping of machinery upon which he or she was employed or dependent, but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall overtime employment be authorized until a written report of the day and hour of its occurrence and duration is sent to the commissioner of labor. [G S 1913 s 3851]

Time for meals required; exception.—In each such establishment at least sixty minutes shall be allowed for the noonday meal unless the commissioner of labor shall permit a shorter time. Where employees are required or permitted to work more than one hour after six o'clock p. m. they shall be allowed at least twenty minutes to obtain lunch before beginning to work overtime. [G S 1913 s 3852]

HEALTH AND SANITATION

Cleanliness where women and children are employed.—Every factory and workshop in this State where women and children are employed and where dusty work is carried on shall be limewashed or painted at least once in every twelve months. Every floor of any room of any establishment herein named where women are employed shall be thoroughly cleaned with soap and water at least once in six months and every dressing room and water closet in such establishment shall be thoroughly cleaned with soap and water once in every week. [G S 1913 s 3855]

PENALTY

Violation of act; misdemeanor.—Every employer, superintendent, owner or other agent of any establishment named in section one [3851] hereof who violates any of the provisions of this chapter [s 3851–3856] shall be guilty of a misdemeanor.[1] [G S 1913 s 3856]

ALL OCCUPATIONS

WAGES

Minor entitled to wages unless claimed by parent or guardian.—Any parent or guardian claiming the wages of a minor in service shall so notify his employer, and, if he fails so to do, payment to the minor of wages so earned shall be valid. [G S 1913 s 3857]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, etc.; oiling and cleaning machinery in motion prohibited for girls of any age.—No children, under the age of sixteen (16) years, shall be employed at sewing belts, or to assist in sewing belts in any capacity whatever; nor shall any such children adjust any belt to any machinery; they shall not oil, or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood shapers, wood-jointers, planers, and [sand]paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut

[1] For penalty for misdemeanor, see page 16 (General Statutes 1913, section 8482).

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factories; nor as pin boys in bowling alleys; they shall not operate or assist in operating dough brakes or cracker machinery of any description; wire or iron straightening machines, nor shall they operate or assist in operating rolling mill machines, punches or shears, washing, grinding or mixing mill or calendar [calender] rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used; and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment dangerous to their lives or limbs or their health or morals. No woman shall be required or permitted to oil or clean moving machinery. [G S 1913 s 3870]

Employment under 16 in operating elevators, steam boilers, etc., prohibited.—No person shall employ or permit any child under the age of sixteen years to have the care, management or operation of any elevator, nor shall they be employed in operating any steam boiler or other steam generating apparatus. [G S 1913 s 3871]

Penalty for violation of act or hindering inspectors.—Every person who violates or fails to comply with any requirement of this chapter [s 3862–3882], or disregards any order, notice or direction of any member or employee of the labor department made in accordance with its provisions, or who obstructs or interferes with any inspection being made pursuant thereto, * * * shall be guilty of a misdemeanor, the minimum penalty whereof shall be a fine of twenty-five dollars, or imprisonment for fifteen days. * * * [G S 1913 s 3881]

NOTE.—[See section 3848.]

ALL OCCUPATIONS

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; separate dressing rooms if needed.—Every building in which labor is employed shall be kept clean and free from effluvia arising from any sewer, drain, or privy, be properly ventilated; and provided with privies for the separate use of male and female employees, to the number of at least one of such closets for each twenty-five persons employed, properly screened, and at all times kept in a sanitary condition. Whenever the labor performed is such as to require a change of clothing, separate dressing rooms shall be provided for the sexes. * * * [G S 1913 s 3887]

NOTE.—[Section 1824 of the Revised Laws of 1905, amended by chapter 288 of the Acts of 1911, which provided a penalty for violation of the above section, was repealed by chapter 316 of the Acts of 1913, but section 3881 of the General Statutes of 1913 (section 20, chapter 316, Acts of 1913), quoted above, is apparently intended to cover violations of the above section.]

MINIMUM WAGE

Minimum wage commission established; organization.—There is hereby established a commission to be known as the minimum wage commission. It shall consist of three persons, one of whom shall be the commissioner of labor who shall be the chairman of the commission, the governor shall appoint two others, one of whom shall be an employer of women, and the third shall be a woman, who shall act as secretary of the commission. The first appointments shall be made within sixty days after the passage of this act [s 3904–3923] for a term ending Jan. 1, 1915. Beginning with the year 1915 the appointments shall be for two years from the first day of January and until their successors qualify. Any vacancy that may occur shall be filled in like manner for the unexpired portion of the term. [G S 1913 s 3904]

Commission to investigate wages paid women and minors.—The commission may at its discretion investigate the wages paid to women and minors in any occupation in the State. At the request of not less than one hundred persons engaged in any occupation in which women and minors are employed, the commission shall forthwith make such investigation as herein provided. [G S 1913 s 3905]

Employers to keep record of wages paid women and minors.—Every employer of women and minors shall keep a register of the names and addresses of and wages paid to all women and minors employed by him, together with number of hours that they are employed per day or per week; and every such employer shall on request permit the commission or any of its members or agents to inspect such register. [G S 1913 s 3906]

Public hearings; power to subpoena witnesses and compel testimony.—The commission shall specify times to hold public hearings at which employers, employees, or other interested persons may appear and give testimony as to wages, profits and other pertinent conditions of the occupation or industry. The commission or any member

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thereof shall have power to subpoena witnesses, to administer oaths, and to compel the production of books, papers, and other evidence. Witnesses subpoenaed by the commission may be allowed such compensation for travel and attendance as the commission may deem reasonable, to an amount not exceeding the usual mileage and per diem allowed by our courts in civil cases. [G S 1913 s 3907]

When minimum wage may be established.—If after investigation of any occupation the commission is of opinion that the wages paid to one-sixth or more of the women or minors employed therein are less than living wages, the commission shall forthwith proceed to establish legal minimum rates of wages for said occupation, as hereinafter described and provided. [G S 1913 s 3908]

Determination of minimum wage by the commission; orders sent to employers and posted.—The commission shall determine the minimum wage sufficient for living wages for women and minors of ordinary ability, and also the minimum wages sufficient for living wages for learners and apprentices. The commission shall then issue an order, to be effective thirty days thereafter, making the wages thus determined the minimum wages in said occupation throughout the State, or within any area of the State if differences in the cost of living warrant this restriction. A copy of said order shall be mailed, so far as practicable, to each employer affected; and each such employer shall be required to post such a reasonable number of copies as the commission may determine in each building or other workplace in which affected workers are employed. The original order shall be filed with the commissioner of labor. [G S 1913 s 3909]

Method of establishing advisory board.—The commission may at its discretion establish in any occupation an advisory board which shall serve without pay, consisting of not less than three nor more than ten persons representing employers, and an equal number of persons representing the workers in said occupation, and of one or more disinterested persons appointed by the commission to represent the public; but the number of representatives of the public shall not exceed the number of representatives of either of the other parties. At least one-fifth of the membership of any advisory board shall be composed of women, and at least one of the representatives of the public shall be a woman. The commission shall make rules and regulations governing the selection of members and the modes of procedure of the advisory boards, and shall exercise exclusive jurisdiction over all questions arising with reference to the validity of the procedure and determination of said boards: *Provided*, That the selection of members representing employers and employees shall be, so far as practicable, through election by employers and employees respectively. [G S 1913 s 3910]

Duties and powers of advisory board.—Each advisory board shall have the same power as the commission to subpoena witnesses, administer oaths, and compel the production of books, papers, and other evidence. Witnesses subpoenaed by an advisory board shall be allowed the same compensation as when subpoenaed by the commission. Each advisory board shall recommend to the commission an estimate of the minimum wages, whether by time rate or by price [piece] rate, sufficient for living wages for women and minors of ordinary ability, and an estimate of the minimum wages sufficient for living wages for learners and apprentices. A majority of the entire membership of an advisory board shall be necessary and sufficient to recommend wage estimates to the commission. [G S 1913 s 3911]

Commission to review estimate of advisory board and establish minimum wage.—Upon receipt of such estimates of wages from an advisory board, the commission shall review the same, and if it approves them shall make them the minimum wages in said occupation, as provided in section 6 [3909]. Such wages shall be regarded as determined by the commission itself and the order of the commission putting them into effect shall have the same force and authority as though the wages were determined without the assistance of an advisory board. [G S 1913 s 3912]

Reconsideration of minimum wage rate established.—All rates of wages ordered by the commission shall remain in force until new rates are determined and established by the commission. At the request of approximately one-fourth of the employers or employees in an occupation, the commission must reconsider the rates already established therein and may, if it sees fit, order new rates of minimum wages for said occupation. The commission may likewise reconsider old rates and order new minimum rates on its own initiative. [G S 1913 s 3913]

Special individual minimum wage may be granted woman physically defective, in occupations having only minimum time rate.—For any occupation in which a minimum time rate of wages only has been ordered the commission may issue to a woman physically defective a special license, authorizing her employment at a wage less than the general minimum ordered in said occupation; and the commission may fix a special

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wage for such person: *Provided*, That the number of such persons shall not exceed one-tenth of the whole number of workers in any establishment. [G S 1913 s 3914]

Employer prohibited from employing at less than minimum wage.—Every employer in any occupation is hereby prohibited from employing any worker at less than the living wage or minimum wage as defined in this act [s 3904–3923] and determined in an order of the commission; and it shall be unlawful for any employer to employ any worker at less than said living or minimum wage. [G S 1913 s 3915]

Testimony of employee not to cause discharge or discrimination.—It shall likewise be unlawful for any employer to discharge or in any manner discriminate against any employee because such employee has testified, or is about to testify, or because such employer believes that said employee is about to testify, in any investigation or proceeding relative to the enforcement of this act [s 3904–3923]. [G S 1913 s 3916]

Right of employee to recover balance when paid less than minimum wage.—Any worker who receives less than the minimum wage ordered by the commission shall be entitled to recover in civil action the full amount due as measured by said order of the commission, together with costs and attorney's fees to be fixed by the court, notwithstanding any agreement to work for a lesser wage. [G S 1913 s 3917]

Enforcement by commission.—The commission shall enforce the provisions of this act [s 3904–3923], and determine all questions arising thereunder except as otherwise herein provided. [G S 1913 s 3918]

Biennial reports.—The commission shall biennially make a report of its work to the governor and the State legislature, and such reports shall be printed and distributed as in the case of other executive documents. [G S 1913 s 3919]

Expenses to be paid; salaries.—The members of the commission shall be reimbursed for traveling and other necessary expenses incurred in the performance of their duties on the commission. The woman member shall receive a salary of eighteen hundred dollars annually for her work as secretary. * * * [G S 1913 s 3920]

Penalty for violation of act.—Any employer violating any of the provisions of this act [s 3904–3923] shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for each offense by a fine of not less than ten nor more than fifty dollars or by imprisonment for not less than ten nor more than sixty days. [G S 1913 s 3922]

Definitions.—Throughout this act [s 3904–3923] the following words and phrases as used herein shall be considered to have the following meanings respectively, unless the context clearly indicates a different meaning in the connection used:

(1) The terms "living wage" or "living wages" shall mean wages sufficient to maintain the worker in health and supply him with the necessary comforts and conditions of reasonable life; and where the words "minimum wage" or "minimum wages" are used in this act, the same shall be deemed to have the same meaning as "living wage" or "living wages."

(2) The terms "rate" or "rates" shall mean rate or rates of wages.

(3) The term "commission" shall mean the minimum wage commission.

(4) The term "woman" shall mean a person of the female sex eighteen years of age or over.

(5) The term "minor" shall mean a male person under the age of twenty-one years, or a female person under the age of eighteen years.

(6) The terms "learner" and "apprentice" may mean either a woman or a minor.

(7) The terms "worker" or "employee" may mean a woman, a minor, a learner, or an apprentice, who is employed for wages.

(8) The term "occupation" shall mean any business, industry, trade, or branch of a trade in which women or minors are employed. [G S 1913 s 3923]

WAGES

Wages of minor child of debtor.—No property hereinafter mentioned shall be liable to attachment, or sale on any final process, issued from any court:

* * * * * * *

17. The earnings of the minor child of any debtor or the proceeds thereof, by reason of any liability of such debtor not contracted for the special benefit of such minor child. [G S 1913 s 7951 as amended by 1915 C 202]

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ALL REGULATED OCCUPATIONS

PENALTIES

Misdemeanor.—Whoever is convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence shall be punished by imprisonment in the county jail for not more than three months, or by a fine of not more than one hundred dollars. [G S 1913 s 8482]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Endangering life or health of minor a gross misdemeanor.—Every person having the care or custody of a minor who—

1. Shall willfully cause or permit his life to be endangered, his health to be injured, or his morals to become depraved; or who
2. Shall willfully cause or permit such minor to be placed in a situation, or to engage in an occupation, which will be likely to endanger his life, injure his health, or impair his morals—

Shall be guilty of a gross misdemeanor. [G S 1913 s 8669]

Penalty.—Whoever shall be convicted of a gross misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence shall be punished by imprisonment in the county jail for not more than one year, or by a fine of not more than one thousand dollars. [G S 1913 s 8483]

Employment under 18 in rope walking, dancing, acrobatic performances, or delivering messages, etc., to immoral places, etc., prohibited; night work prohibited under 18 in any work outside of residence; penalty for parent, employer, etc.—Every person who shall employ or cause to be employed, exhibit, or have in his custody for exhibition or employment, any minor actually or apparently under the age of eighteen years; and every parent, relative, guardian, employer, or other person having the care, custody, or control of any such minor, who shall sell, let out, give away, or in any way procure or consent to the employment of such minor—

1. As a rope or wire walker, dancer, gymnast, contortionist, rider, or acrobat;
2. In begging, receiving alms, or in any mendicant occupation;
3. In any indecent or immoral exhibition or practice;
4. In any practice or exhibition dangerous or injurious to life, limb, health, or morals;
5. In labor of any kind outside the family of his residence [sic] before 7 o'clock a. m. or after 6 o'clock p. m.; or
6. As a messenger for delivering letters, telegrams, packages, or bundles to any known house of prostitution or assignation—

Shall be guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars, or by imprisonment in the county jail for not less than thirty days, or by both. [G S 1913 s 8682]

NOTE.—[For prohibition of night work under 16 in any gainful occupation, see section 3845.]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature by minors prohibited; penalty.—Every person who—

* * * * * * *

4. Shall hire, use, or employ any minor to sell or give away, or in any manner distribute, or shall permit any minor in his custody or control to sell, give away, or in any manner distribute, any of the articles hereinbefore mentioned [book, pamphlet, magazine, newspaper, etc., of indecent or immoral character, or devoted to the publication, or largely made up of, criminal news, police reports, accounts of criminal deeds, or pictures and stories of crime, etc.]—

Shall be guilty of a gross misdemeanor, and be punished by imprisonment in the county jail for not more than one year nor less than ninety days, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both. [G S 1913 s 8705]

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ALL OCCUPATIONS

MINIMUM AGE

Inducing children to leave home for employment; penalty.—Any person who shall persuade, entice, or decoy away from its father or mother, with whom it resides, any child under the age of twenty-one years if a male, or eighteen if a female, being unmarried, for the purpose of employing such child without the consent of its parents, or one of them, shall, upon conviction, be punished by a fine of not more than twenty dollars, or [by] imprisonment in the county jail not more than thirty days, or both. [Code 1906 section 1080]

CHILD LABOR AND VAGRANCY

Persons living on earnings of their children declared vagrants.—The following persons are and shall be punished as vagrants, viz.:

* * * * * * *

(*m*) All persons who are able to work and do not work, but hire out their minor children or allow them to be hired out, and live upon their wages. [C 1906 s 5055]

Enforcement: duties of sheriffs, etc.—It shall be the duty of every sheriff, deputy sheriff and constable in every county, and of the police, town marshal, deputy marshals, and of other like officials in every county, city, town, or village in the State to give information under oath to any officer empowered to issue criminal warrants of all vagrants within their knowledge, or whom they have good reason to suspect as being vagrants in their respective counties, cities, towns, and villages; thereupon the said officer shall issue a warrant for the apprehension of the person alleged to be a vagrant. [C 1906 s 5056]

Enforcement: charges by citizens, etc.—All informations charging vagrancy shall be under oath; and while it is made the special duty of the officers named in section 5056 hereof to file the said informations whenever they shall have knowledge or good reason to suspect that any person is a vagrant as defined by any clause or section of this act [s 5055–5063], yet any information charging vagrancy may be charged under oath by any resident of this State. [C 1906 s 5057]

Penalty.—Whenever any person shall have been arrested on a charge of vagrancy, he shall immediately be carried before a justice of the peace of the district in which the offense occurs, or before the mayor or police justice of any city, town, or village, if said offense occurs within the corporate limits of same, and on satisfactory evidence of his being a vagrant, the justice or mayor or police justice shall commit such person to jail for not less than ten nor more than thirty days, and said person so committed shall serve said sentence for the prescribed time, and shall not be liberated from such sentence by payment for the time required to be served by said sentence, unless such person give bond, with sufficient security, to be approved by said justice or mayor or police justice, in any sum not less than two hundred and one dollars, for the future industry and good conduct of such person for one year from the date of giving of such bond. * * * [C 1906 s 5058]

Penalty for second offense.—Whenever any person shall be convicted of a second offense of vagrancy, no matter under which head of this chapter [s 5055–5063], he shall

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be committed to jail for not less than ninety days nor more than six months, and shall serve said sentence for the prescribed time, and shall not be liberated from such sentence by payment for the time required to be served by said sentence; and in all cases where any person shall be convicted of vagrancy, in addition to being committed to jail as herein provided, such person shall also pay all costs, and shall stand committed until same is paid, and this shall apply to all cases, whether such persons give bond as herein provided or not. [C 1906 s 5061]

MANUFACTURING AND CANNING ESTABLISHMENTS, ETC.

MINIMUM AGE

Employment of boys under 12 and girls under 14 prohibited.—No girl under the age of fourteen years, or boy under the age of twelve years, shall be employed in or permitted to work in any mill, factory, manufacturing establishment or cannery in this State. [1908 C 99 s 1 as amended by 1912 C 165]

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, for boys under 16 and girls under 18.—No boy under the age of sixteen years of age and no girl under the age of eighteen years of age shall be employed or detained in any mill, factory, cannery or manufacturing establishment within this State for more than eight hours in any one day, or more than forty-eight hours in any one week, or be employed in or detained in any such establishment between the hours of 7 p. m. and 6 a. m. [1908 C 99 s 2 as amended by 1912 C 165]

EMPLOYMENT CERTIFICATES

Affidavits required under 16.—It shall be unlawful for any person, firm or corporation to employ or detain or permit to work in any mill, factory, cannery or manufacturing establishment in this State any child under the age of sixteen years without first requiring said child to present the affidavit of the parent or guardian or person standing in parental relation to such child, stating the place and date of birth of such child, and also stating the last school attendance of such child and grade of studies pursued, and the name of school and name of teacher in charge. The employer shall preserve such affidavit and keep a complete register of all such affidavits showing all the facts contained therein. [1908 C 99 s 3 as amended by 1912 C 165]

ENFORCEMENT AND PENALTIES

Duties of county health officers.—It is the duty of each county health officer to visit, without notice of his intention to do so, all manufacturing establishments employing child labor within his county at least twice each year, and oftener if requested by the sheriff, and to promptly report to the sheriff any unsanitary condition of the premises, any child or children afflicted with an infectious, contagious or communicable disease, or whose physical condition renders such child or children incapacitated to perform the work required of them; and the sheriff shall promptly remove such child or children from such manufacturing establishment and order the premises put in sanitary condition; and the judgment of the county health officer as to the physical condition of the children and sanitary condition of the premises shall be final and conclusive. [1908 C 99 s 5 as amended by 1912 C 165]

Duties and powers of grand juries, etc.—It shall be the duty of the circuit judge to specially charge the grand jury to investigate violations of this act. [1908 C 99 s 6 as amended by 1912 C 165]

Refusing information, etc.—Any officer, manager or superintendent of any manufacturing establishment, in which child labor is employed, who shall fail or refuse to give true and correct information demanded of him by any of the officers hereinbefore directed to inspect such establishments, or who shall fail or refuse to obey any lawful order of the sheriff or health officer of the county in which such establishment is located, for carrying out the purposes of this act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars. [1908 C 99 s 7 as amended by 1912 C 165]

Illegal employment, etc.—Any person, firm or corporation, or the superintendent, manager or any officer of a manufacturing establishment employing any child, or permitting any child to be employed by or work in or be detained in any mill, factory

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or manufacturing establishment in this State contrary to law, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars, or may be sentenced to the county jail for not less than ten days nor more than sixty days, or [suffer] both such fine and imprisonment. [1908 C 99 s 8 as amended by 1912 C 165]

NOTE.—[Sections 4 and 9 of the above act, relating to enforcement, exempting fruit canneries, and defining the application of the act, were repealed by section 8, chapter 163, Acts of 1914.]

MANUFACTURING ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours a day; adult males handling perishable agricultural products excepted; other exceptions.—It shall be unlawful for any person, firm or corporation engaged in manufacturing or repairing to work their employees more than ten hours per day, except in cases of emergency, or where necessity requires in such departments; but this provision shall not extend to those persons, firms or corporations engaged in handling or converting perishable agricultural products in season who work adult male labor only in connection therewith. [1912 C 157 s 1 as amended by 1914 C 168]

Ten hours a day, 60 a week; exceptions.—Is [it] shall be unlawful for any person, firm or corporation engaged in manufacturing or repairing to work their employees more than ten hours per day, except in cases of emergency, or where the public necessity requires in such departments: *Provided*, That persons may work not more than twenty minutes additional each day for the first five days of the week, the additional time so worked to be deducted from the last day of the week, but sixty hours shall constitute a full week's work under the provisions of this act.[1] [1912 C 157 s 1 as amended by 1914 C 169]

Penalty.—Any person, firm or corporation violating this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than fifty dollars for each offense, and each day's violation shall constitute a separate offense. [1912 C 157 s 2 as amended by 1914 C 168]

Court decisions.—A former act on the above subject was held constitutional. It was held to apply to cottonseed oil mills. If a workman is required to be on duty for more than ten hours, although not employed during the entire period, the act is violated.—Buckeye Cotton Oil Co. *v.* State, 60 So. 775 (1913). A former act on this subject was also held constitutional. The word "manufacturing" is used in its usual sense, and means an organized force of laborers working with machinery to produce from raw materials the finished product. This includes a sawmill.—State *v.* Newman Lumber Co., 103 Miss. 263, 59 So. 923 and 60 So. 215 (1912).

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment of factory inspector.—[The] State board of health shall appoint and may remove for cause a special inspector who shall have the title of factory inspector and who shall be a person having competent knowledge of factories and capable of performing the duties prescribed below. Such inspector shall execute bond in the penalty of three thousand ($3,000.00) dollars, payable to the State, for the faithful performance of his or her duties. [1914 C 163 s 1]

Duties of factory inspector.—It shall be the duty of the factory inspector to inspect all factories and canneries where women and children are employed at least three times each year. Such inspector shall collect evidence of violations of the laws of the State relating to the employment of women and children, and furnish such information to the county or district attorney in the county in which said violation occurred. Such inspector shall report annually, under the direction of the secretary of the State board of health, the number of women and children employed in the different cotton and knitting mills and canneries in the State, and the number of violations found and disposition of each. [1914 C 163 s 3]

Duties of factory inspector.—Said inspector shall report annually to the secretary of State board of health the number of industrial establishments in this State which it is made his duty to inspect, the number of employees, the number of inspections made, the number of violations found, and the disposition of each, and such other information as may be deemed valuable and necessary, and shall enforce the laws

[1] This section was also amended by chapter 168 of the Acts of 1914, quoted above. Both amendments were approved on March 28, 1914, and the penalty apparently applies to both.

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of the State in factories and other establishments where women and children are employed. [1914 C 163 s 4]

Penalty for refusing information or hindering inspector.—Any officer, manager, or other agent of any factory, or cannery subject to the provisions of this act who shall fail or refuse to give true and correct information demanded of him by the State factory inspector, or who shall attempt to prevent the factory inspector from entering such establishment in the regular performance of the duties of such inspector, shall be guilty of a misdemeanor and upon conviction be fined not less than ten dollars nor more than one hundred dollars. [1914 C 163 s 5]

COTTON AND KNITTING MILLS

MINIMUM AGE

Employment of boys under 12 and girls under 14 prohibited.—No boy under the age of twelve years, and no girl under the age of fourteen years, shall be employed or permitted to work in any cotton mill or knitting mill in this State. [1914 C 164 s 1]

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, for boys under 14 and girls under 16; 10 hours a day, 60 a week, for other employees.—No boy under fourteen years of age, and no girl under sixteen years of age shall be employed or permitted to work in any cotton mill or knitting mill more than eight hours in any one day, or more than forty-eight hours in any one week, or be employed in or detained in any such establishment between the hours of seven p. m., and six a. m., but all other employees of cotton mills or knitting mills may be employed and be permitted to work not more than ten hours in any one day or sixty hours in any one week. [1914 C 164 s 2]

EMPLOYMENT CERTIFICATES

Affidavits required under 16.—It shall be unlawful for any person, firm or corporation to employ, or detain, or permit to work, in any cotton mill or knitting mill in this State, any child under the age of sixteen years without first requiring said child to present the affidavit of the parent or guardian, or person standing in parental relation to such child, stating the place and date of the birth of such child, and also stating the last school attendance of such child, the grade of study pursued, and the name of the school, and the name of the teacher in charge. The employer shall preserve such affidavit and keep a complete register of all such affidavits, showing all the facts contained therein. [1914 C 164 s 3]

ENFORCEMENT

Duties of sheriffs.—It shall be the special duty of the sheriff of the county in which the cotton mills or knitting mills employing child labor are located to visit, at least once each month, such cotton or knitting mill, to see to the enforcement of this act. [1914 C 164 s 4]

Duties and powers of sheriffs and health officers.—It shall be the duty of the county health officer to visit, without notice of his intention to do so, all cotton mills and knitting mills employing child labor within his county at least twice each year or oftener if requested by the sheriff, and to promptly report to the sheriff any unsanitary condition of the premises, any child or children afflicted with infectious, contagious or communicable disease, or whose physical condition renders such child or children incapacitated to perform the work required of them, and the sheriff shall promptly remove such child or children from such cotton mill or knitting mill, and order the premises put in sanitary condition, and the judgment of the county health officer as to the physical condition of the children, and the sanitary condition of the premises shall be final and conclusive. [1914 C 164 s 5]

Prosecution.—It shall be the duty of the circuit judge to specially charge the grand jury to investigate violations of this act. [1914 C 164 s 6]

PENALTIES

Violation of act or refusing information.—Any officer, manager, or superintendent of any cotton mill or knitting mill in which child labor is employed, who shall fail or refuse to give true and correct information demanded of him by any officer herein-

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before directed to inspect such cotton mills or knitting mills, or who shall fail or refuse to obey any lawful order of the sheriff or health officer of the county in which said cotton mill or knitting mill is located, for carrying out the purpose of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars. [1914 C 164 s 7]

Illegal employment.—Any person, firm or corporation, or the superintendent, manager, or any officer of the cotton mills or knitting mills employing any child, or permitting any child to be employed by or to work in, or to be detained in any cotton mill or knitting mill in this State contrary to law, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars, or may be sentenced to the county jail for not less than ten days nor more than sixty days, or [suffer] both such fine and imprisonment. [1914 C 164 s 8]

APPLICATION OF ACT

Act not to repeal law of 1912.—* * * This act shall not be construed as repealing any part of chapter 165 of the laws of 1912, except those parts relating to cotton mills and knitting mills. [1914 C 164 s 9]

ALL OCCUPATIONS

HOURS OF LABOR FOR GIRLS

Ten hours a day, 60 a week; exceptions.—It shall be unlawful for any person, firm or corporation to work [sic] any female or girl in any laundry, millinery, dressmaking store, office, mercantile establishment, theater, telegraph or telephone office or any other occupation not here enumerated, to work such female labor or girl more than ten (10) hours per day or more than 60 hours per week except in case of emergency or where public necessity requires such. [1914 C 165 s 1]

Penalty.—Any person, firm or corporation violating this act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than $10.00, nor more than $50.00 for each offense, or imprisonment [be imprisoned] in the county jail not less than five days nor more than thirty days, or [suffer] both fine and imprisonment. And each day's violation shall constitute a separate offense. [1914 C 165 s 2]

Application of act; domestic work excepted.—This act shall not be construed to conflict with the child labor law of the sheet Acts of 1912, chapter 165, nor to apply to domestic servants. [1914 C 165 s 3]

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ALL OCCUPATIONS

WAGES

Wages of minor to belong to parent.—* * * The parents of [a] minor child or children acting as such natural guardian and curator shall be entitled to receive and collect the earnings of * * * minors until they reach their majority, and be liable for their support to the extent of such earnings: *Provided*, That this act [s 2403] shall not be so construed as to exempt the father of such minors from liability for the support of his children. [Revised Statutes 1909 volume 1 section 403 as amended by 1913 page 92]

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 14 prohibited; agricultural and domestic labor excepted.—No child under the age of fourteen years shall be employed, permitted or suffered to work at any gainful occupation within this State, except at agricultural pursuits, and in domestic service. [R S 1909 v 1 s 1715 as amended by 1911 p 132]

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any gainful occupation in this State more than forty-eight hours in any one week, nor more than eight hours per day; nor before the hour of seven o'clock in the morning, nor after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room or place where such minors are employed a printed notice stating the hours of service required of them each day of the week, the hours of commencing and stopping work, and the hour, or hours, when the time, or times, allowed for meals begin and end. The printed form of such notice shall be furnished by the State factory inspector. [R S 1909 v 1 s 1716 as amended by 1911 p 132]

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EMPLOYMENT CERTIFICATES AND RECORDS

Lists required from 14 to 16; lists to be posted.—It shall be the duty of every person, firm or corporation, employing minors over fourteen and under sixteen years of age within this State to keep two complete lists containing the names, ages and places of residence of all such children employed therein, one on file, and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. [R S 1909 v 1 s 1717 as amended by 1911 p 132]

Certificates required from 14 to 16; certificate to be returned to child.—No child under sixteen years of age, and over fourteen years of age, shall be employed, permitted or suffered to work in this State unless there is first produced and placed on file at the time of employment, and accessible to any factory inspector, and to any school attendance officer, or to any other authorized officer, an employment certificate as hereinafter prescribed. On termination of the employment of any such child, such certificate shall be forthwith surrendered by the employer to the owner thereof, or in the event said certificate is not called for within thirty days, it shall be transmitted by the employer to the person who issued the same. [R S 1909 v 1 s 1718 as amended by 1911 p 132]

School authorities to issue certificates.—An employment certificate shall be issued only by the superintendent of instruction of any board of education in this State, or by a person authorized by him in writing, or, where there is no superintendent of instruction, by a person authorized by the board of directors of any school district in this State. [R S 1909 v 1 s 1719 as amended by 1911 p 132]

Age and school records required.—The person so authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers, duly executed:

1. The school record of such child, properly filled out and signed by the principal or chief executive officer of the school which such child has attended. It shall contain a statement certifying that the child has regularly attended the public schools, or schools equivalent thereto, or parochial schools, and is able to read and write simple sentences in the English language. Such school record shall also give the date of birth and residence of the child, as shown on the record of the school, and the names of its parents, guardian, or custodian.

2. A passport, or duly attested transcript of the certificate of birth, or baptism, or other religious record, showing the date and place of birth of such child.

3. An affidavit of the parent or guardian or custodian of a child (which shall not be accepted, however, unless a passport or certificate of birth, or baptism, or other religious record is not obtainable), showing the date and place of birth of such child. Such affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath without demanding or receiving any fee therefor. [R S 1909 v 1 s 1720 as amended by 1911 p 132]

Method of issuing certificates; mental and physical fitness for the work required.—No employment certificate shall be issued until the child in question has personally appeared before and been examined by the officer issuing the certificate, nor until such officer, after making such examination, has signed and filed in his office a statement that the child can read and legibly write simple sentences in the English language, and that in his opinion, the child is fourteen years of age or over, and has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work it intends to do. Whenever such officer issuing the employment certificate requests it, such normal development, sound health and physical fitness shall be determined by a medical officer of the board or department of health or by a regularly licensed physician. [R S 1909 v 1 s 1721 as amended by 1911 p 132]

Contents and method of issuing certificates.—Every such employment certificate shall state the name, sex, residence, the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight, and any distinguishing physical marks of such child, and that the papers required by the preceding sections have been duly examined, approved and filed, and that the child named in such certificate has appeared before the officer signing it. Every such certificate shall be signed in the presence of the officer issuing it by the child in whose name it is issued. It shall show the date of its issue. In the event such employment certificate is lost, duplicates may be issued upon the payment of a fee of 50 cents for each duplicate, which shall be paid into the general school fund. [R S 1909 v 1 s 1722 as amended by 1911 p 132]

Revocation of certificates in case of fraud; certificate of physical fitness in case of doubt.—All such employment certificates shall be subject to review by the factory inspector, or by any of his assistants or deputies, and may by him be canceled if he finds such

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certificate has been obtained through fraud, misrepresentation or falsification of facts. In such cases the factory inspector shall give written notice to the employer, who shall at once cause the minor affected to be dismissed from employment. The factory inspector or his assistant or deputy shall also have the power to demand a certificate of physical fitness from some regularly licensed physician in the case of children who may seem to said inspector physically unable to perform the labor at which they may be employed; and no such child shall be employed who can not obtain such a certificate. [R S 1909 v 1 s 1723 as amended by 1911 p 132]

Contents of certificates.—Such employment certificate shall be printed, the printed form to be furnished by the State factory inspector, and shall be filled out, signed and held for surrender in the following form:

EMPLOYMENT CERTIFICATE.

I, ..., (here officer issuing certificate shall insert his name and official title and by what authority he issues said certificate) hereby certify that there personally appeared before me ...., (here insert name of child), and that he, or she, has been duly examined by me and found by me to be able to read and legibly write simple sentences in the English language; and I further certify that in my opinion the said child is fourteen years of age or over and has reached the normal development of a child of his, or her, age, and is in sufficiently sound health and physically able to perform the work which he, or she, intends to do, which, according to the statement of the child, is as follows: ..... (here insert kind of work child states he, or she, intends to perform).

I further certify that I have received, examined, approved, signed and filed in my office at ....., (here insert address of officer issuing certificate), the papers required by the statutes of Missouri pertaining to the issuance of employment certificates to children over fourteen years of age.

I further certify that the child in whose name this certificate is issued, has signed his, or her, name in my presence. His, or her, full name is ...., (here insert full name of child in whose behalf certificate is issued). ..... (here state whether male or female child); residence .....; born on the .... day of ..... (month); .... (year), at ..... (place of birth); color of hair is .....; of eyes is .....; height, ...; weight, ...; ..... (here insert distinguishing facial marks).

In the event this certificate is lost, a duplicate may be issued upon the payment of a fee of 50 cents.

Signed this ..... day of ..... (month), ... (year), at ..... (place of issuance).

....,
....
(Signature and official title of officer issuing certificate.)

....,
....
(Signature and address of child on whose behalf certificate is issued.)

[R S 1909 v 1 s 1724 as amended by 1911 p 132]

Monthly reports to factory inspector of certificates issued.—The superintendent of instruction, or other person authorized to issue employment certificates, shall transmit, between the first and tenth days of each month, to the office of the factory inspector, upon blanks to be furnished by him, a list of the names of the children to whom certificates have been issued. Such list shall give the name of the prospective employer, if known, and the nature of the occupation the child intends to engage in. [R S 1909 v 1 s 1725 as amended by 1911 p 132]

ENFORCEMENT

Presence to be evidence of employment.—The presence of any person under the age of sixteen years in any place where labor is employed, shall constitute prima facie evidence of his, or her, employment therein. [R S 1909 v 1 s 1726 as amended by 1911 p 132]

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STREET TRADES

MINIMUM AGE

Employment of boys under 10 and girls under 16 in selling newspapers, magazines, etc., in certain places prohibited.—No boy under ten, and no girl under sixteen years of age shall sell, or expose, or offer for sale, newspapers, magazines, periodicals, or other merchandise in any street or hotels, railway stations, places of public amusement, places where intoxicating liquors are manufactured or sold or public office buildings within the State. [R S 1909 v 1 s 1726a as added by 1911 p 132]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Sewing machine belts in any workshop or factory, or assisting therein in any capacity whatever; adjusting any belt to any machinery; oiling, wiping or cleaning machinery or assisting therein; operating, or assisting in operating—circular saws; wood jointers; wood shapers; planers; sandpaper or wood-polishing machinery; picker machines; machines used in picking wool; machines used in picking cotton; machines used in picking hair; machines used in picking upholstering material; paper-lacing machines; leather-burnishing machines; burnishing machines in any tannery or leather manufactory; job or cylinder printing presses, operated by power other than foot power; emery or polishing wheels used for polishing metal; wood-turning or boring machinery; stamping machines used in sheet-metal and tinware manufacturing; stamping machines used in washer and nut factories; corrugating rolls, such as are used in roofing and washboard factories; steam boilers; steam machinery; or other steam generating apparatus; dough brakes; or cracker machinery of any description; wire or strengthening [sic] machinery; rolling mill machinery, punches or shears; washing, grinding or mixing mills; calender rolls in rubber manufacturing; laundering machinery. [R S 1909 v 1 s 1726b as added by 1911 p 132]

Specific occupations prohibited under 16; dangerous processes, saloons, places of amusement, establishments where malt or alcoholic liquors are manufactured, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about or in connection with the—preparing any composition in which dangerous or poisonous acids or alkalies are used; manufacture of paints, colors or white lead; dipping, drying or packing matches; manufacturing, packing or storing powder, dynamite, nitroglycerin compounds, fuses or other explosives; manufacture of goods for immoral purposes; nor in, about or in connection with any—brewery, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; hotel; concert hall; moving picture shows; pool and billiard halls; wholesale drug store; saloon, or place of amusement; nor in operating any automobile, motor car or truck; nor in bowling alleys; nor in any other employment declared by the State factory inspector to be dangerous to lives and limbs, or injurious to the health or morals of children under the age of sixteen. [R S 1909 v 1 s 1726c as added by 1911 p 132]

REGULATED OCCUPATIONS

PENALTY

Violation of act.—The violation of any of the provisions of this act [s 1715–1726d] shall be deemed a misdemeanor and every day's violation shall constitute a separate offense, and any person, firm or corporation committing such violation shall be punished by a fine of not more than $100.00 or by imprisonment in the county jail not exceeding one year, or by both such fine and punishment [imprisonment]. [R S 1909 v 1 s 1726d as added by 1911 p 132]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person or corporation employing females in any manufacturing, mechanical or mercantile establishment in this State shall provide suitable seats for the use of the females so employed, and permit the use of said seats by them when not engaged in the duties for which they are employed. [R S 1909 v 2 s 4493]

Penalty.—A person or corporation violating the provisions of sec. 4493 of this article shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense. [R S 1909 v 2 s 4494]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls in saloons prohibited; penalty.—No company, corporation, firm, owner, proprietor, lessee or person owning, conducting or operating any dramshop, saloon or place where spirituous, malt or vinous liquors are sold at retail shall employ or suffer to be employed any female as a servant, bartender, waiter, dancer or singer in said dramshop or place where spirituous, malt or vinous liquors are sold at retail, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment in the county jail not less than three nor more than twelve months, or by fine of not less than fifty nor more than five hundred dollars, or by both such fine and imprisonment; and it shall be the duty of the judge of the court before whom any person is convicted for the violation of the provisions of this section to declare the license of such person for the keeping of a dramshop forfeited and revoked, and enter the same on record; and thereupon it shall be the duty of the clerk of the said court to certify the fact to the authority granting such license, and no such license shall be renewed or again granted to such person until after the expiration of the two years from the day of conviction. [R S 1909 v 2 s 4740]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in rope walking, acrobatic performances, singing, dancing, etc., prohibited; parent, etc.; exceptions.—It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out or otherwise dispose of any such child to any person in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music. [R S 1909 v 2 s 4741]

Employment under 14 in rope walking, acrobatic performances, singing, dancing, etc., prohibited; employer.—It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child under the age and for the purposes prohibited in section 4741 of this article. [R S 1909 v 2 s 4742]

Penalty.—Any person convicted under the provisions of the two preceding sections shall for the first offense be fined not exceeding one hundred dollars, or imprisoned in the county jail not exceeding three months, or both, in the discretion of the court, and, upon conviction for a second or any subsequent offense, shall be fined in any sum not exceeding five hundred dollars, or imprisoned in the penitentiary for a term not exceeding two years, or both, in the discretion of the court. [R S 1909 v 2 s 4743]

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INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors to play games, etc., in saloons prohibited; penalty.—Every dramshop keeper, or any other person, * * * who shall have any minor in his employ about his dramshop or therein to play cards, dominos, dice, billiards, pigeon hole, pool, or any other game, shall forfeit and pay to the parent, master or guardian of such minor, for every such offense, the sum of fifty dollars, to be recovered by the party entitled thereto by civil action in any court of competent jurisdiction against such dramshop keeper, or by suit in such court on the bond of such dramshop keeper, in the name of the county, to the use of the person entitled to sue: *Provided further*, That every dramshop keeper who shall violate the provisions of this section, in addition to the civil liability to the parent, master or guardian herein provided for, shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty nor more than two hundred dollars; and every action brought by virtue of this section shall be commenced within one year from the time the right of action accrued. [R S 1909 v 2 s 7213]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places; penalty.—Every person * * * [agreeing to furnish employment and receiving a consideration therefor] who shall direct any female applying for employment to any house of prostitution, assignation house or other immoral resort * * * shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine of not exceeding one thousand dollars nor less than one hundred dollars, or confined in the county jail or workhouse no longer than one year nor less than sixty days, or shall be punished by both such fine and imprisonment. [R S 1909 v 2 s 7801]

MINES, SMELTERS, ETC.

HOURS OF LABOR

Eight hours a day.—It is hereby declared to be unlawful for any person, company or corporation engaged in carrying on any kind of mining, mechanical, chemical, manufacturing or smelting business, to work their employees in any mill or mills, or plants, while engaged in crushing rocks and mine products, containing mineral or ores, or engaged in separating the minerals or ores from rock and such combination with which the mineral or ores are mixed, or reducing or roasting, or refining or smelting minerals or ores, from and after the time such rocks, or combination of rocks and mine products, or minerals or ores are taken out of the mines, at such labor or industry, for a period of time longer than eight hours in a day of twenty-four hours, and it is hereby declared that eight hours shall constitute a day of employment, for all laborers, or employees, engaged in the kind of labor or industry aforesaid. [R S 1909 v 2 s 7813]

Penalty.—Any person or persons, company or corporation who shall violate any of the provisions of the preceding section shall, on conviction, be fined in a sum not less than twenty-five dollars nor more than five hundred dollars. [R S 1909 v 2 s 7814]

Eight hours a day in silica mining, plate-glass manufacturing, or smelting.—It is hereby declared to be unlawful for any person, company or corporation engaged in carrying on the business of any kind of silica mining, plate glass manufacturing or smelting business to work their employees in any mine or mines, mill or mills, factories or plants for a period of time longer than eight hours in a day of twenty-four hours and it is hereby declared that eight hours shall constitute a day of employment for all laborers or employees engaged in the kind of labor or industries aforesaid. [R S 1909 v 2 s 7814a as added by 1913 p 399]

Penalty.—Any person or persons, company or corporation who shall violate any of the provisions of the preceding section shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00). [R S 1909 v 2 s 7814b as added by 1913 p 400]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day, 54 a week, in these occupations, in places of amusement, and in stenographic or clerical work, etc.; canning industries for 90 days a year in certain places and telephone and telegraph companies excepted.—No female shall be employed, permitted, or suffered to work, manual or physical [sic], in any manufacturing, mechanical, or mercantile establishments, or factory, workshop, laundry, or bakery, or restaurant, or any place of amusement, or to do any stenographic or clerical work of any character in any of the divers kinds of establishments and places of industry, herein above described, or by any person, firm or corporation engaged in any express or transportation of [or] public utility business, or by any common carrier, or by any public institution, incorporated or unincorporated, in this State, more than nine hours during any one day, or more than fifty-four hours during any one week: *Provided*, That operators of canning or packing plants in rural communities, or in cities of less than ten thousand inhabitants wherein perishable farm products are canned, or packed, shall be exempt from the provisions of this section for a number of days not to exceed ninety in any one year: *Provided*, That nothing in this section shall be construed or understood to apply to telegraph or telephone companies. [R S 1909 v 2 s 7815 as reenacted by 1913 p 400]

Penalty.—Any employer or overseer, superintendent, foreman, agent or any other employee who shall require or permit or suffer any female to work in any of the places mentioned in section 7815 of this act [s 7815–7816a] more than the number of hours therein specified, or any employer who permits or suffers any overseer, superintendent, foreman, agent or other employee to require or to permit or to suffer any female to work in any of the places mentioned in section 7815 of this act more than the number of hours therein specified shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than twenty-five dollars nor more than one hundred dollars. [R S 1909 v 2 s 7816 as reenacted by 1911 p 311]

Enforcement: duties of department of factory inspection.—The department of factory inspection shall have charge of the enforcement of the provisions of this act [s 7815–7816a]. And the said department of factory inspection shall be charged with the duty of enforcing the provisions of this act and the prosecution of all violations thereof. [R S 1909 v 2 s 7816a as added by 1913 p 401]

RAILROADS [1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions.—It shall be unlawful for any corporation or receiver operating a line of railroad, in whole or in part, in the State of Missouri, or any officer, agent or representative of such corporation or receiver to require or permit any conductor, engineer, fireman, brakeman, train dispatcher, telegraph operator, or any trainman, who has worked in his respective capacity for sixteen hours within a day of twenty-four hours, to again go on duty or perform any work for such railroad until he has had at least eight hours rest: *Provided*, This provision shall not apply in case of accident or casualty, or prevent train crews from taking a passenger train, or freight loaded exclusively with live stock or perishable freight to the next nearest division point, upon such railroad: *Provided further*, That this section shall not apply to employees of sleeping car companies. [R S 1909 v 2 s 7818]

Penalty.—Any corporation or receiver operating a line of railroad, in whole or in part, in this State, who shall violate any of the provisions of section 7818 shall be liable to the State of Missouri for a penalty of not less than five hundred dollars nor more than one thousand dollars for each offense * * *. [R S 1909 v 2 s 7819]

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[1] See court decision on page 7 (New York).

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment of factory inspectors.—* * * The factory inspector may appoint, from time to time, two assistant factory inspectors and seven deputy factory inspectors, two of whom may be women, who may be removed by him at any time for just cause. * * * [R S 1909 v 2 s 7823]

Duties and powers of factory inspectors in cities.—* * * It shall be the duty of the factory inspector, his assistants or deputy inspectors, to make not less than two inspections during each year of all factories, warehouses, freight depots, machine shops, laundries, tenement workshops, bakeshops, hotels, restaurants, bowling alleys, theaters, concert halls or places of public amusement, and other manufacturing, mechanical and mercantile establishments and workshops, in all cities having a population of ten thousand inhabitants or more. The last inspection shall be completed on or before the first day of October of each year, and the factory inspector shall enforce all laws relating to the inspection of the establishments enumerated heretofore in this section, and prosecute all persons for violating the same. Any municipal ordinance relating to said establishments or their inspection shall be enforced by the factory inspector. The factory inspector, his assistants and deputy inspectors, may administer oaths and take affidavits in matters concerning the enforcement of the various inspection laws relating to these establishments. [R S 1909 v 2 s 7824]

Powers of factory inspectors; penalty for hindering inspectors, etc.—* * * The owner, superintendent, manager or other person in charge of any establishment at the time of inspection shall be required to furnish the inspector making the inspection a true statement of the number of persons employed in such establishment at the time of inspection, and any owner, superintendent, manager or other person in charge who shall fail or refuse to furnish such statement, or understate the number of persons employed in such establishment at the time of inspection, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense. Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether acting for himself or for such firm or corporation, or by himself or through subagents or foreman, superintendent or manager, who shall refuse or attempt to prevent the admission of any inspector authorized by this article [s 7823–7826], upon or within the premises or buildings of any such establishments or place included in this article, at any reasonable business hour, or during working hours of the persons employed therein or thereat, or shall in any manner interfere with the performance of the official duties of such inspector, or shall neglect or refuse to pay the inspection fee upon the completion of such inspection, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense: *Provided*, That the owner or manager of any establishment inspected shall not be required to pay for more than two such inspections between the first day of October of one year and the thirtieth day of September of the next year, unless, through noncompliance with the written orders of the inspector, additional inspections are made necessary. [R S 1909 v 2 s 7825]

MANUFACTURING, MECHANICAL, AND OTHER ESTABLISHMENTS

MINIMUM AGE

Cleaning machinery in motion prohibited for minors and women; certain positions prohibited under 16 and for women.—No minor or woman shall be required to clean any part of the mill, gearing or machinery while it is in motion in such establishment [manufacturing, mechanical, mercantile and other establishments and places], nor shall any minor under the age of sixteen years be required to work between the fixed and traversing or the traversing parts of any machine while it is in motion by the action of steam, water, electricity or other mechanical power; and no woman shall be required to work between the fixed and traversing or the traversing parts of any such machine, except the machine being operated by her. [R S 1909 v 2 s 7829]

Court decisions.—This section was held constitutional.—Stricklen *v.* Combe Printing Co., 155 S. W. 839 (1913).

Under a former section on the above subject, the following decisions were rendered: The foreman of a manufacturing corporation, engaged in manufacturing boxes, who hires a child in violation of the statute, is subject to the punishment imposed.—State *v.* Deck, 108 Mo. App. 292, 83 S. W. 314 (1904). The employer may be liable, although the minor employee was not directly ordered to do the work causing the injury.—Vanesler *v.* Box Co., 108 Mo. App. 621 (1904). The employment of a child in violation of the statute is negligence and the defense of assumption of risk can not be pleaded.—Nairn *v.* National Biscuit Co., 120 Mo. App. 144, 96 S. W. 679 (1906). The master is liable for injury to a minor required to operate a machine in violation of the statute, though it had ceased its motion for a short time before the injury, and the motion causing the injury was erratic.—Peters *v.* Gille, 133 Mo. App. 412, 113 S. W. 706 (1908).

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FACTORIES, WORKSHOPS, ETC.

HEALTH OF MINORS

Cleanliness where women and children are employed.—Every factory and workshop in this State where women and children are employed, and where dusty work is carried on, shall be limewashed or painted at least once in every twelve months. [R S 1909 v 2 s 7833]

DRESSING ROOMS FOR GIRLS

Dressing rooms to be provided if needed.—In every factory, workshop or other establishment in this State where girls or women are employed, where unclean work of any kind has to be performed, suitable places shall be provided for such girls or women to wash and dress * * *. [R S 1909 v 2 s 7835]

MANUFACTURING, MECHANICAL, MERCANTILE, AND OTHER ESTABLISHMENTS

TOILETS AND SEATS FOR GIRLS

Separate toilets for the sexes.—Separate water-closets shall be provided for the use of employees of either sex in manufacturing, mechanical, mercantile and other establishments in this State where persons of both sexes are employed. [R S 1909 v 2 s 7836]

Seats to be provided and their use permitted.—In every manufacturing, mechanical, mercantile and other establishment in this State wherein girls or women are employed, there shall be provided and conveniently located seats sufficient to comfortably seat such girls or women, and during such times as such girls or women are not necessarily required by their duties to be upon their feet, they shall be allowed to occupy the seats provided. [R S 1909 v 2 s 7838]

REGULATED OCCUPATIONS

PENALTIES

Violation of act.—Any person or persons, firm or corporation, being the owner, agent, lessee or occupant of any manufacturing, mechanical, mercantile or other establishment, business or calling in this State to which this article [s 7827–7852] applies, or any employee therein or thereat, who shall violate, or aid or abet in violating, any of the provisions of this article, shall be deemed guilty of a misdemeanor, and, upon conviction in any court of competent jurisdiction in this State, be fined for the first offense not less than twenty-five dollars nor more than two hundred dollars, and for each subsequent offense, not less than one hundred dollars nor more than five hundred dollars, and, in default of payment of such fine and costs, shall be committed to the common jail of the county or city in which the offense was committed until such fine and costs are fully paid. [R S 1909 v 2 s 7846]

Responsibility of officers or agents of corporations.—When any of the provisions of this article [s 7827–7852] are violated by a corporation, proceedings may be had against any of the officers or agents of such corporation who in any way participated in such violation by the corporation of which they are the officers or agents, and, upon conviction, such officers or agents shall be subject to the same penalty as in case of individuals so offending. [R S 1909 v 2 s 7847]

FACTORIES AND WORKSHOPS

HEALTH OF MINORS, AND TOILETS

Cleanliness where women and children are employed.—Every person employing five or more persons in a factory, or employing children, young persons or women, five or more in number, in a workshop, shall keep such factory or workshop in a cleanly state and free from effluvia from any drain, privy or other nuisance. [R S 1909 v 2 s 7856]

Separate toilets for the sexes.—Every person employing five or more persons in a factory, or employing children, young persons or women, five or more in number, in a workshop, shall provide, with reasonable access, a sufficient number of proper water-closets, earth closets or privies, for the reasonable use of all persons so employed; and wherever male and female persons are employed in the same factory or workshop, a sufficient number of separate and distinct water-closets, earth closets or privies shall be provided for the use of each sex, and shall be plainly designated; and no person

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shall be allowed to use any such closet or privy assigned to persons of the other sex. [R S 1909 v 2 s 7857]

Ventilation where women or children are employed.—Every factory in which five or more persons are employed, and every workshop in which children, young persons or women, five or more in number, are employed, shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to be injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, so far as is practicable, all the gases, vapors, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health. [R S 1909 v 2 s 7858]

State inspector may order mechanical means of ventilation where women or children are employed.—If, in a factory or workshop included in section 7858 of this article [s 7856–7861], any process is carried on by which dust is generated and inhaled to an injurious extent by the persons employed therein, and it appears to an inspector of factories that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, and that the same could be provided without excessive expense, such inspector may direct a fan, or other mechanical means of a proper construction, to be provided within a reasonable time; and such fan or other mechanical means shall be so provided, maintained and used. [R S 1909 v 2 s 7859]

Enforcement and penalty.—Any person employing labor in a factory or workshop, and violating any provision of this article [s 7856–7861], shall be deemed guilty of a misdemeanor, and punished by a fine of not less than fifty nor more than two hundred dollars; but no criminal prosecution shall be made for such violation until four weeks after notice in writing by an inspector of factories of the changes necessary to be made to comply with the provisions of this article has been sent by mail or delivered to such person, nor then, if in the meantime such changes have been made in accordance with such notification. A notice shall be a sufficient notice under this article to all the members of a firm, company or corporation, when given to one member of such firm or company, or to the clerk, cashier, secretary, agent or any other officer having charge of the business of such corporation, or to its attorney; and in case of a foreign corporation, notice to the officer having charge of such factory or workshop shall be sufficient. [R S 1909 v 2 s 7860]

Definitions.—The following expressions used in this article [s 7856–7861] shall have the following meanings: The expression "person" means any individual, corporation, partnership, company or association. The expression "child" means a person under the age of fourteen years. The expression "young person" means a person of the age of fourteen years and under the age of eighteen years. The expression "woman" means a woman of the age of eighteen years and upward. The expression "factory" means any premises where steam, water or other mechanical power is used in aid of any manufacturing process there carried on. The expression "workshop" means any premises, room or place, not being a factory as above defined, wherein any manual labor is exercised by way of trade, or for purposes of gain, in or incidental to any process of making, altering, repairing, ornamenting, finishing or adapting for sale any article or part of an article, and to which or over which premises, room or place the employer of the persons working therein has the right of access or control: *Provided however*, That the exercise of manual labor in a private house or room by a family dwelling therein shall not in itself constitute such house or room a workshop within this definition. [R S 1909 v 2 s 7861]

BAKERIES AND CONFECTIONERY ESTABLISHMENTS

HOURS OF LABOR

One day of rest in seven; night work prohibited under 16.—No employee shall be required, permitted or suffered to work in any biscuit, bread, pastry or cake bakery, or confectionery establishment, in this State more than six days in one week, said week to commence at a given hour on Sunday and terminate at the corresponding hour on the Saturday following: *Provided however*, That such week shall commence not sooner than six o'clock a. m. on Sunday and end not later than six o'clock p. m. on Saturday. No person under the age of sixteen years shall be employed in any bake shop or confectionery shop between the hours of nine o'clock at night and five o'clock in the morning. [R S 1909 v 2 s 7862]

Court decision.—A former section of which this is a reenactment, was held unconstitutional.—State *v.* Miksicek, 225 Mo. 561, 125 S. W. 507 (1910).

(Lower courts have held the above section "unconstitutional.")

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Penalty.—Any person who violates any of the provisions of this article [s 7862–7870] or refuses to comply with the requirements thereof shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than ten dollars and not more than one hundred dollars, or imprisonment in the county jail not less than one month, or by both such fine and imprisonment. [R S 1909 v 2 s 7868]

Enforcement: duties of factory inspectors.—It shall be the duty of the factory inspector or his deputy to inspect each bake shop at least once every twelve months, for which he may receive a fee of not exceeding one dollar; he may make such additional inspections as conditions may seem to require, but he shall not be entitled to any fee for such additional inspection. It shall be his duty to see that the provisions of this article [s 7862–7870] are carried into effect, and it is hereby made the duty of the prosecuting attorney of each county or city in this State to lend all possible aid in all prosecutions for violation of any of the provisions of this article. [R S 1909 v 2 s 7869]

Article to be posted.—A copy of this article [s 7862–7870] shall be furnished by the factory inspector and be kept conspicuously posted in every bake shop or confectionery establishment in this State. [R S 1909 v 2 s 7870]

MINES

HOURS OF LABOR

Eight hours a day.—It shall be unlawful for any person or corporation engaged in mining for minerals, coal or any valuable substance, or making excavations beneath the surface of the earth while searching for minerals, coal or any valuable substance, to work their hands or employees at such labor or industry longer than eight hours in a day of twenty-four hours, and it is hereby declared that eight hours shall constitute a day for all laborers or employees engaged in the kind of labor or industry aforesaid. [R S 1909 v 2 s 8437]

Court decision.—A former section of which this is an amendment was held constitutional.—Cantwell *v.* State, 179 Mo. 245, 199 U. S. 602 (1905).

Penalty.—Any person or persons or corporation who shall violate any of the provisions of the preceding section shall, on conviction, be fined in a sum not less than twenty-five nor more than five hundred dollars. [R S 1909 v 2 s 8438]

MINIMUM AGE

Employment of boys under 14 and girls of any age prohibited; ability to read and write required under 16; penalty.— * * * No male person under the age of fourteen years, or female of any age, shall be permitted to enter any mine to work therein; nor shall any boy under the age of sixteen years, unless he can read or write, be allowed to work in any mine. Any party or person neglecting or refusing to perform the duties required to be performed by the provisions of this article [s 8441–8479] shall be deemed guilty of a misdemeanor, and punished by a fine, in the discretion of the court trying the same, subject, however, to the limitations as provided by section 8462 of this article. [Section 8462 provides for a fine of not less than one hundred nor more than three hundred dollars for failure to report an accident in a mine.] [R S 1909 v 2 s 8456]

Penalty.—In all cases in which punishment is not provided for by fine under this article [s 8441–8479] for a breach of any of its provisions, the fine for the first offense shall not be less than fifty nor more than two hundred dollars, and for the second offense not less than two hundred nor more than five hundred dollars, to be recovered in any court of the State having competent jurisdiction. [R S 1909 v 2 s 8463]

Enforcement: duties of mine inspectors.—The inspectors provided for in this article [s 8441–8479] shall see that every necessary precaution is taken to secure the health and safety of the workmen employed in any of the mines in the State, that the provisions and requirements provided for in this article be faithfully observed and obeyed, and the penalties of the law enforced. * * * [R S 1909 v 2 s 8465]

Enforcement: powers of mine inspectors.—It shall be lawful for the inspector provided for in this article to enter, examine and inspect any and all mines and machinery belonging thereto, at all reasonable times, by day or by night, but so as not to obstruct or hinder the necessary workings of such mine, and the owner, agent or operator of every such mine is hereby required to furnish all necessary facilities for such entering, examination and inspection. * * * [R S 1909 v 2 s 8467 as amended by 1911 p 319]

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EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 20; penalty for false returns.—The board of directors of each district shall, between the thirtieth day of April and the fifteenth day of May of each year, take or cause to be taken, and forwarded to the county clerk, an enumeration of the names of all persons over six and under twenty years of age, resident within the district, designating male and female, white and colored, and age of each, together with the full name of the parent or guardian of each child enumerated; and also an enumeration of all blind and deaf and dumb persons of school age, resident within the district, designating male and female, white and colored, and age of each, together with the full name of the parent or guardian of each of such children so enumerated, and their postoffice address, which said enumerations shall be subscribed and sworn to; and any parent or guardian who shall knowingly furnish to any enumerator the name of any child who is under six or over twenty years of age, or who is a nonresident of the district, shall be guilty of a misdemeanor, and any enumerator who shall knowingly return a false enumeration shall be deemed guilty of a misdemeanor and punishable by a fine not to exceed one hundred dollars; and should the board neglect or refuse to comply with the provisions of this section, such district shall forfeit its right to any portion of the public funds for the next ensuing school year: *Provided*, That the board of directors of any city having more than fifty thousand inhabitants may relieve itself of the duty aforesaid four times to every period of five years by passing a resolution each year adopting the last enumeration therein made as its enumeration of persons of school age in said city for such year, and thereupon such last enumeration shall be deemed returned and taken as its enumeration for such year for all purposes under this chapter. * * * [R S 1909 v 3 s 10790]

COMPULSORY SCHOOL ATTENDANCE (GENERAL)

Children from 8 to 14; from 14 to 16 if not regularly employed.—Every parent, guardian or other person in the State of Missouri having charge and control of a child between the ages of eight and fourteen years shall cause such child to attend regularly some day school, public, private, parochial or parish not less than three-fourths of the entire time the school which said child attends is in session, or shall provide such child at home with such regular daily instruction during the usual hours as shall be, in the judgment of a court having competent jurisdiction, substantially equivalent at least to the instruction given children of like age at said day school in the locality in which said child resides: *Provided*, That every parent, guardian or person in the State of Missouri having charge and control of a child between the ages of fourteen and sixteen years, who is not actually and regularly and lawfully engaged in some useful employment or service, shall cause said child to attend regularly some day school as aforesaid. [R S 1909 v 3 s 10896]

Exceptions.—A child between the ages aforesaid may be excused temporarily from complying with the provisions of sections 10896 to 10905, inclusive, in whole or in part, if it can be shown to the satisfaction of a court of competent jurisdiction that said parent, or guardian, or person having charge or control of said child, is not able through extreme destitution, to provide or obtain in any way proper clothing for said child; or that said child is mentally or physically incapacitated to attend school for the whole period required, or any part thereof, or that there is no public school taught within two and one-half miles of the residence of said child by the nearest traveled road, or that said child has completed the common school course as prescribed by constituted authority, or its equivalent, and has received a certificate of graduation therefrom. [R S 1909 v 3 s 10897 as amended by 1911 p 132]

Enforcement: appointment, duties, and powers of attendance officers.—The board having charge of a public school in a city or district of one thousand or more population by the last census may appoint and remove at pleasure one or more attendance officers to enforce the provisions of sections 10896 to 10905, inclusive, and shall fix the compensation and manner of performance of the duties of said attendance officer, and shall pay them from the public school funds; and the attendance officer, as aforesaid, * * * shall, when reasonable doubt exists as to the age of such child, require a properly attested birth certificate or an affidavit stating such child's age, date of birth and physical characteristics; shall have the right to visit and enter any office or factory or business house employing children as aforesaid; shall have the right to require a properly attested certificate of the attendance of any child or children

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at such day school; shall have power to arrest, without warrant, all truant non-attendants as aforesaid and place them in some public school, unless the parents or guardians, or persons in charge and control of such children, respectively, shall at once place them in some other day school as aforesaid; * * * and shall carry into effect such other regulation as may lawfully be required by the board appointing them. [R S 1909 v 3 s 10898]

NOTE.—[Sections 10906, 10907, and 10908 make similar provisions for compulsory school attendance in cities of five hundred thousand inhabitants or over (St. Louis), with the following exceptions: Section 10906 provides that children between 8 and 14 shall attend school regularly the entire time the school is in session and that children between 14 and 16 who are not actually, regularly, and lawfully engaged for at least 6 hours each day in some useful employment or service shall regularly attend some day school.]

Enforcement: duties of teachers.—It shall be the duty of the secretary of the board in city, town and village schools, and of the clerk of the board in other districts, to furnish the teacher at the beginning of the term with a copy of the last enumeration [children from 6 to 20] of the district. The teacher shall compare this list with the enrollment and report to the attendance officer at the end of each week during the first month, and as often thereafter as necessary, the names of all nonattendants between the ages of eight and sixteen. [R S 1909 v 3 s 10899]

Penalty.—Any parent or guardian or person who, having charge and control of a child between the ages of eight and sixteen years, violates any provisions of sections 10896 to 10905, inclusive, shall be warned as aforesaid as soon as possible after the beginning of the public school term of the city or town district in which such child resides, and also at any time thereafter, by the attendance officer herein provided for, or by clerk of district when no attendance officer is provided for, to place and keep said child in regular attendance at some day school within ten days from the service of said written or printed notice of warning, and upon failure to comply with said sections after a lapse of ten days from the date of the service of said notice of warning, said parent or guardian, or person having charge and control of said child shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine of not less than ten dollars and not more than twenty-five dollars, or be imprisoned for not less than two days and not more than ten days, or both such fine and imprisonment: *Provided*, That said sentence of fine or imprisonment, or both, may be suspended and finally remitted by the court with or without the payment of costs, at the discretion of the court, if the said child be immediately placed and kept in regular attendance in some day school as aforesaid, and if such fact of regular attendance is proven subsequently to the satisfaction of said court by a properly attested certificate of attendance by the superintendent or teacher of said day school. [R S 1909 v 3 s 10901]

Enforcement: certificate of age.—Superintendents, principals and persons in charge of schools and attendance officers are authorized to administer oaths and to take the affidavits of parent, guardian or other person having charge, control or custody of children, concerning the ages of children, and to furnish children with certificates of such affidavits; such certificates must have attached the signature of the child for whom it is issued, the signature of the person who made and took the affidavit, and the seal of the board having charge of public schools. Aforesaid certificates shall contain the description of the color of eye and hair of the child to whom it is issued. [R S 1909 v 3 s 10909]

Penalty.—Any parent or guardian or person, who having charge, control or custody of a child in such city, between the ages of eight and sixteen years, violates any provision of sections 10906 to 10917, inclusive, shall be warned, as aforesaid, as soon as possible after the beginning of the public school term of the city, and also at any time thereafter, by the attendance officer herein provided for, to place and keep said child in regular attendance at some school within ten days from the service of said written or printed notice of warning, and upon failure to comply with said sections after a lapse of ten days from the date of the service of said notice of warning, said parent or guardian, or person having charge, control or custody of said child, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not less than ten dollars and not more than twenty-five dollars, or be imprisoned for not less than two days and not more than ten days, or both such fine and imprisonment: *Provided*, That said sentence of fine or imprisonment, or both, may be suspended and finally remitted by the court with or without the payment of costs, at the discretion of the court, if the said child be immediately placed and kept in regular attendance in some day school as aforesaid, and if such fact of regular attendance is proven subsequently to the satisfaction of said court by a properly attested certificate of attendance by the superintendent, principal or person in charge of said day school. [R S 1909 v 3 s 10912]

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RAILROADS[1]

HOURS OF LABOR

Nine hours a day for certain employees.—Nine hours shall constitute a day's work for men engaged in operating and [any] interlocking tower and no one shall be required to work more than nine hours during each twenty-four hours in a day. [1913 p 187 s 1]

Penalty.—Any railroad company or agent thereof which shall require men engaged in operating interlocking an interlocking tower [sic] to work more than nine hours in twenty-four shall be guilty of a misdemeanor and on conviction thereof shall be subject to a fine of not less than one hundred dollars or more than five hundred dollars therefor. [1913 p 187 s 2]

[1] See court decision on page 7 (New York).

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Note.—[The duties formerly imposed upon the bureau of agriculture, labor, and industry, etc., have been transferred by section 3, chapter 55, Acts of 1913, to the commissioner of labor and industry. In each case the new enforcing authority has been indicated in the text by an insertion in brackets, the former enforcing power being omitted.]

MINES AND SMELTERS

MINIMUM AGE

Employment under 16 in underground mines prohibited.—It shall be unlawful to employ children under the age of sixteen (16) years of age in underground mines. [Constitution article 18 section 3]

HOURS OF LABOR

Eight hours a day's work.—A period of eight hours shall constitute a day's work * * * in mills and smelters for the treatment of ores, and in underground mines. [Con art 18 s 4]

ENFORCEMENT

Legislature to provide.—The legislature by appropriate legislation shall provide for the enforcement of the provisions of this article. [Con art 18 s 5]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

State bureau of child and animal protection established.—There is hereby created a State bureau of child and animal protection, for the purpose of enforcing the laws of the State of Montana, pertaining to children and dumb animals which may now or hereafter exist; and to promote the growth of education and sentiment favorable to the protection of children and dumb animals. [Revised Codes 1907 section 1660]

Appointment, duties, and powers of deputies.—The secretary shall have the power to appoint six deputies, one of whom shall have his office in the city of Butte, one in Great Falls, one in Havre, one in Billings, one in Missoula and one in Kalispell. Such deputies shall take and subscribe the same oath required by the principal, and

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the same shall be of record in the secretary's office. The deputies shall have the same power and authority as fixed by law in the principal, and shall have a salary of eighteen hundred ($1800) dollars, per annum, payable monthly, out of the public treasury. They shall make full and complete reports every month to said principal showing all their official acts, with names of persons accused and against whom prosecution may have been instituted, and the results thereof. Said deputies may be removed at any time by the secretary, and another appointed to fill the vacancy. All deputies shall have authority to investigate cases reported to said bureau from any section of the State of Montana when called or directed to so do by the secretary of said bureau. [R C 1907 s 1664 as amended by 1911 Chapter 127]

Powers of secretary of bureau.—The secretary is hereby vested with authority to make arrests of any person, or persons, violating any provisions of the laws relating to wrongs to children and dumb animals, and is hereby further vested with the authority to enter workshops, factories, stores, mines, mills and smelters, and all other places where children may be employed, and do what may be necessary in the way of investigation, or otherwise, to enforce the laws pertaining to minor children and animals. [R C 1907 s 1669]

MINES, SMELTERS, ETC.

HOURS OF LABOR

Eight hours a day in mines, railroad tunnels, etc.; exceptions.—The period of employment of workingmen in all underground mines or workings, including railroad or other tunnels, shall be eight (8) hours per day, except in case of emergency where life and property is [sic] in imminent danger. [R C 1907 s 1736 as amended by 1911 C 21]

Eight hours a day in stamp mills, reduction works, etc.—The period of employment of workingmen in smelters, stamp mills, sampling works, concentrators, and all other institutions for the reduction of ores, and refining of ores or metals, shall be eight (8) hours per day, except in cases of emergency where life or property is in imminent danger. [R C 1907 s 1737]

Penalty for violation of two preceding sections.—Any person or persons, body corporate, agent, manager or employer who shall violate any of the provisions of sections 1736 (1) or 1737 (2) of this act [s 1736–1738], shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each offense, be subject to a fine of not less than one hundred dollars, or more than five hundred dollars, or by [to] imprisonment in the county jail for a period of not less than one (1) month, or more than six (6) months or by both such fine and imprisonment. [R C 1907 s 1738]

Eight hours a day in smelters, mines, etc.—A period of eight (8) hours shall constitute a day's work * * * in mills and smelters for the treatment of ores, and in underground mines, and in the washing, reducing or treatment of coal. [R C 1907 s 1739]

Penalty.—Every person, corporation, stock company or association of persons who violate[s] any of the provisions of section 1739 (1) of this act [s 1739–1740] shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred (100) dollars nor more than five hundred (500) dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such [fine] and imprisonment. [R C 1907 s 1740]

Court decisions.—This act is constitutional. It includes within its inhibition both the employer and the employee.—State *v.* Livingstone Building Co., 34 Mont. 570, 87 Pac. 980 (1906).

While employing one in a mine more than 8 hours a day in violation of this act is legal negligence, the master may show, as a defense, assumption of risk and contributory negligence of the servant.—Melville et al *v.* Butte-Balaklava Copper Co.—130 Pac. 441 (1913).

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions.—On all lines of steam railroads or railways operated in whole or in part, within this State the time of labor of locomotive engineers, locomotive firemen, conductors, trainmen, operators and agents acting as operators, employed in running or operating the locomotive engines or trains on or over such railroads or railways in this State, shall not at any

[1] See court decision on page 7 (New York).

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time exceed sixteen (16) consecutive hours or to be on duty for more than sixteen (16) hours in the aggregate in any twenty-four (24) hour period. At least eight (8) hours shall be allowed them off duty before said engineers, firemen, conductors, trainmen, operators and agents acting as operators, are again ordered or required to go on duty: *Provided however*, That nothing in this section shall be construed to allow any engineer, fireman, conductor or trainman to desert his locomotive or train in case of accident, storms, wrecks, washouts, snow blockade or any unavoidable delay arising from like causes, or to allow said engineer, fireman, conductor or trainman to tie up any passenger or mail train between terminals. [R C 1907 s 1741]

Penalty.—Any railroad company or superintendent, train dispatcher, train master, master mechanic or other railroad or railway official who shall order or require any locomotive engineer, locomotive fireman, conductor, trainman, operator or agent acting as operator, to labor contrary to the provisions of section 1741 (1) of this act [s 1741–1743] shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than one hundred ($100.00) dollars or more than five hundred ($500.00) dollars, or by imprisonment of not less than thirty days or more than sixty days in the county jail; and all railroad or railway corporations operating lines of railroads or railways in whole or in part in this State, shall be liable in damages for all injuries to any person or persons resulting from violations of the provisions of section 1741 (1) of this act. [R C 1907 s 1742]

Application of act.—The provisions of section 1741 (1) of this act [s 1741–1743] shall not apply to relief or wreck trains. [R C 1907 s 1743]

Court decision.—This act is constitutional.—State *v.* N. P. Ry. Co., 93 Pac. 945 (1908).

Enforcement: duties of board of railroad commissioners.—It is hereby made the duty of such board [of railroad commissioners] to see that * * * all laws of this State concerning railroads are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected. [R C 1907 s 4397]

Enforcement: duties of board of railroad commissioners.—It is hereby made the duty of the board of railroad commissioners to make inquiry into the observance by all railroads within this State of the laws of the United States and of the State of Montana intended to safeguard the lives of the employees of persons or corporations engaged in operating the same and to lay complaint before the proper officer, State or Federal, of any infraction of any of such laws and to prosecute before the proper court or tribunal any person guilty of violation of the penal provisions thereof. [1913 C 115 s 1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, mines, messengers, etc.; misdemeanor for employer, etc.—Any person, company, firm, association, or corporation engaged in business in this State, or any agent, officer, foreman or other employee having control or management of employees, or having the power to hire or discharge employees, who shall knowingly employ or permit to be employed any child under the age of sixteen years, to render or perform any service or labor, whether under contract of employment or otherwise, in, on, or about any mine, mill, smelter, workshop, factory, [or] steam, electric, hydraulic, or compressed air railroad, or passenger or freight elevator, or where any machinery is operated, or for any telegraph, telephone or messenger company, or in any occupation not herein enumerated which is known to be dangerous or unhealthful, or which may be in any way detrimental to the morals of said child, shall be guilty of a misdemeanor and punishable as hereinafter provided. [R C 1907 s 1746]

Specific occupations prohibited under 16; machinery, mines, messengers, etc.; misdemeanor for parent, etc.—Any parent, guardian or other person having the care, custody or control of any child under the age of sixteen years, who shall permit, suffer or allow any such child to work or perform service for any person, company, firm, association or corporation doing business in this State, or who shall permit or allow any such child over whom he has such care, custody or control, to retain such employment as is prohibited in section 1746 (1) of this act [s 1746–1751], whether under contract of employment or not, shall be guilty of a misdemeanor and punishable as hereinafter provided. [R C 1907 s 1747]

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ALL OCCUPATIONS

EMPLOYMENT CERTIFICATES AND RECORDS

Records of children under 16.—The commissioner of [labor and industry] shall compile and preserve in his office from reports made to him by the county superintendent of schools, as otherwise provided, a full and complete list of the name, age, date of birth and sex of each child, and the names of the parents or guardians of each child under the age of sixteen years who is now or may hereafter become a resident of this State, and such list shall be the official record of the age of children in this State. [R C 1907 s 1748]

Age certificates required over 16; commissioner of labor and industry to issue certificates; records of issuing office; misdemeanor.—Upon attaining the age of sixteen years any child may make application to the commissioner of [labor and industry] for an age certificate, which must be presented to any employer with whom such child may seek employment. The employer, if such employment be given, must countersign the certificate, and return the same to [said commissioners], who shall keep the same on file in his office. Any person, firm, company, association or corporation who employs or permits to be employed in any occupation prohibited in section 1746 (1) of this act [s 1746–1751], any child without such certificate showing the child to be at least sixteen years of age, shall be guilty of a misdemeanor and punishable as hereinafter provided, should such child prove to be less than sixteen years of age. [R C 1907 s 1749]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties of commissioner of labor and industry, etc.—To enforce this act [s 1746–1751] the commissioner of [labor and industry], the bureau of child and animal protection and all county attorneys shall, each upon their [his] own volition, or upon the sworn complaint of any reputable citizen that this act is being violated, make prosecutions for such violations. [R C 1907 s 1750]

PENALTY

Violation of act.—Every person, firm, company, association or corporation who violates any of the provisions of this act [s 1746–1751] shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisomnent. [R C 1907 s 1751]

MINES

MINIMUM AGE

Employment under 16 prohibited; misdemeanor for employer.—Any person, corporation, stock company or association of persons, owning or operating any underground mine, or any officer, agent, foreman or boss, having the control or management of employees, or having the power to hire or discharge employees, who shall employ, or knowingly permit to be employed, any child under the age of sixteen years, for work or service in any such mine, or the underground workings thereof, or permit or allow any such child to render or perform any work or service whatever in such mine, whether under contract of employment or otherwise, shall be guilty of a misdemeanor and punishable as hereinafter provided. [R C 1907 s 1752]

Employment under 16 prohibited; misdemeanor for parent, etc.—Any parent, guardian or other person having the care, custody, or control of any child under the age of sixteen years, who shall permit, suffer, or allow such child to work in any mine having underground workings, or who shall permit or allow any such child over whom they may have such care, custody, or control to retain employment in any such mine, or who, after having knowledge that any such child has taken employment in any such mine, or is performing work or service therein, whether under contract of employment or not, shall fail forthwith to notify the person or corporation owning or operating such mine, or some officer, foreman or employee thereof having the power to hire or discharge employees, of the age of such child, shall be guilty of a misdemeanor and punishable as hereinafter provided. [R C 1907 s 1753]

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Penalty.—Any person or corporation violating any of the provisions of this act [s 1752–1754] shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than twenty-five ($25) dollars nor more than ($500) five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than six months, or by both such fine and imprisonment. [R C 1907 s 1754]

NOTE.—[See sections 1746, 1747, and 1751, of an earlier act, covering in general the same provisions.]

ALL OCCUPATIONS

WAGES

Minor entitled to wages unless claimed by parent.—The wages of a minor employed in service may be paid to him until the parent or guardian entitled thereto gives the employer notice that he claims such wages. [R C 1907 s 3757]

ALL REGULATED OCCUPATIONS

PENALTIES

Misdemeanor when not otherwise prescribed.—Except in cases where a different punishment is prescribed by this Code, every offense declared to be a misdemeanor is punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding five hundred dollars, or both. [R C 1907 s 8111]

PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in rope walking, singing, dancing, etc., prohibited; misdemeanor for parent, employer, etc.—Any person, whether as parent, relative, guardian, employer or otherwise, having in his care, custody or control any child under the age of sixteen years, who shall sell, apprentice, give away, let out or otherwise dispose of any such child to any person, under any name, title or pretense, for the vocation, use, occupation, calling, service, or purpose of singing, playing on musical instruments, rope walking, dancing, begging or peddling in any public street or highway, or in any mendicant or wandering business whatever, and any person who shall take, receive, hire, employ, use or have in custody any child for such purposes, or either of them, is guilty of a misdemeanor.[1] [R C 1907 s 8347]

MINES

MINIMUM AGE

Penalty for employment under 14.—Every person who receives or employs any child under fourteen years of age in any underground works or mine, or in any similar business, is punishable by a fine not exceeding one thousand dollars. [R C 1907 s 8349]

NOTE.—[For prohibition of employment under 16, see section 3, article 18 of the constitution, and sections 1746 and 1752 of the Revised Codes.]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls to serve in theaters, places of amusement, etc., prohibited; misdemeanor.—Every person who sells or furnishes any malt, vinous or spirituous liquor to any person in the auditorium, boxes or lobbies of any theater, melodeon, variety show, museum, circus or caravan, or any place where any farce, comedy, tragedy, ballet, opera or play is being performed, or any exhibition of dancing, juggling, wax-work figures and the like is being given for public amusement, and every person who employs or procures or causes to be employed or procured any female to sell or furnish any malt, vinous or spirituous liquors at such place is guilty of a misdemeanor.[1] [R C 1907 s 8373]

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[1] For penalty for misdemeanor, see page 7 (Revised Codes 1907 s 8111).

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Employment of girls in saloons, etc., prohibited; penalty.—Every person who causes, procures or employs any female for hire, drink or gain to play upon any musical instrument or to dance, wait, promenade or otherwise exhibit herself in any drinking saloon,[1] dance cellar, ball room, public garden, public highway, common park or street, or in any steamboat or railroad car, or in any place whatsoever, if in such place there is connected therewith the sale or use as a beverage of any intoxicating, spirituous, vinous or malt liquors, or who shall allow the same in any premises under his control where intoxicating, spirituous, vinous or malt liquors are sold or used, when two or more persons are present, is punishable by a fine of not less than fifty nor more than five hundred dollars or by imprisonment in the county jail not exceeding three months, or both; and every female so playing upon any musical instrument or dancing, waiting, promenading or exhibiting herself, as herein aforesaid, is punishable by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding one month, or both. [R C 1907 s 8376]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature prohibited under 16.—* * * It is unlawful * * * to hire, use, employ, or permit such child [under 16] to sell or give away or in any manner distribute any such book, pamphlet, magazine, lewd picture, newspaper, story paper or publication [devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of lust or crime]. [R C 1907 s 8391]

Violation a misdemeanor.—Every person violating any of the provisions of the next preceding section is guilty of a misdemeanor.[2] [R C 1907 s 8392]

TELEPHONES

HOURS OF LABOR

Nine hours a day in certain cities; exceptions.—On all lines of public telephones operated in whole or in part within this State, it shall hereafter be unlawful for any owner, lessee, company or corporation to hire or employ any operator or operators, other person or persons to run or operate a telephone board or boards for more than nine (9) hours, in twenty-four hours in cities or towns having a population of 3,000 inhabitants, or over: *Provided however*, That the provisions of this act shall not apply to any person or persons, operator or operators, operating any telephone board or boards more than nine (9) hours in each twenty-four for the purpose of relieving another employee in case of sickness or other unforeseen cause or causes. [1909 C 75 s 1]

Penalty.—Any owner, lessee, company or corporation, who shall violate any of the provisions of this act shall upon conviction be punished by a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars, and each and every day that such owner, lessee, company or corporation, may continue to violate any of the provisions of this act, shall be considered a separate and distinct offence and shall be punished as such. [1909 C 75 s 2]

COAL MINES

ENFORCEMENT

Duties and powers of coal mine inspector.—The State coal mine inspector shall have the right, and it is hereby made his duty, * * * especially to make inquiry whether or not the provisions of the laws providing for the regulation of coal mines, or other acts which may hereafter be enacted governing coal mines, have been complied with. The owner, operator or superintendent of such mine is hereby required to furnish the means necessary for such entry, inspection, examination, inquiry and exit. It shall also be the duty of the said coal mine inspector to carefully examine all the coal mines in operation in this State at least every three months and oftener if necessary; to see that every precaution is taken to insure the safety of all the workmen that may be engaged in said coal mine. * * * [1911 C 120 s 5]

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[1] Person keeping saloon, etc., is prohibited by R. C. 1907 s 8379 from permitting any minor to resort or stop in such place.

[2] For penalty for misdemeanor, see page 7 (Revised Codes 1907, s 8111).

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Department of labor and industry established.—The department of labor and industry of the State of Montana is hereby created, which shall consist of a commissioner, boiler inspector, inspector of mines and coal mine inspector and such deputies and employees as are now or may hereafter be authorized by law. [1913 C 55 s 1]

Duties of commissioner of labor and industry.—The duties of the commissioner of labor and industry shall be to enforce the provisions of sections 1746 to and including section 1754 of the Revised Codes of the State of Montana, 1907, and to discharge the duties now imposed upon the commissioner of the bureau of agriculture, labor and industry relating thereto and to free employment offices within this State. [1913 C 55 s 3]

Powers of commissioner of labor and industry; penalty for refusing information or hindering inspector.—The commissioner shall have the power to administer oaths, have and use a seal, with power, to examine witnesses under oath, to take depositions or cause the same to be taken by any one authorized to take depositions, and said commissioner may deputize any male citizen over the age of twenty-one years to serve subpoenas upon witnesses who shall be summoned in the same manner as witnesses before the district court, and any person or owner, operator, or lessee of any mine, factory, workshop, smelter, mill, warehouse, elevator, foundry, machine shop or other establishment, any agent or employee of such owner, operator, manager or lessee, who shall refuse to said commissioner admission therein for the purpose of inspecting, or who shall when requested by him willfully neglect or refuse to furnish to him any statistics or other information relating to his lawful duties, which may be in their possession or under their control, or who shall willfully neglect or refuse for thirty days to answer questions by circular or by personal application, or who shall knowingly answer such questions untruthfully or who shall refuse to obey any such subpoenas and give testimony according to the provisions of this act, shall for every such willful neglect or refusal be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than fifty ($50.00) nor more than one hundred ($100.00) dollars: *Provided*, That no witness shall be compelled to answer questions respecting his private affairs nor to go outside of his own county to give testimony. [1913 C 55 s 5]

Duties of mine inspectors.—* * * The State inspector of mines and the State coal mine inspector, their deputies, assistants and employees shall perform the duties now required by law * * *. [1913 C 55 s 9]

NOTE.—[Sections 1711-1720 of the Revised Codes of 1907 provide for a mine inspector and define his duties, but they apparently relate only to safety and protection of life.]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21; penalty for failure to report.—The duties of the district clerk shall be as follows:

* * * * * * *

3. To make annually between the first day of September and the first day of October of each year, an exact census of all the children and youth between the age of six and twenty-one years residing in the district; and shall specify the sex, age, and date of birth of such children. He shall take the name of each child, the same to be spelled out in full; the Christian and surname of both parents, or guardians, and including initials of all middle names, together with the place of residence of said parents or guardians, specified by street and number if living in city or town; or, if living in any other than a city or town, the post office address of said parents or guardians must be given. He shall take specifically and separately a census of all children under the age of six years as in the manner aforesaid. All children under twenty-one years of age who may be absent from home for any cause, shall be included by the district clerk in this census list of the city, town or district in which their parents reside. He shall make under oath full report thereof on blanks furnished for this purpose to the county superintendent in duplicate, within fifteen days after the completion of the census and deliver a copy to the school trustees. Failure to make such report as specified shall constitute a misdemeanor and shall be punished by a fine of not less than ten dollars nor more than fifty dollars. * * * [1913 C 76 s 512]

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COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14; from 14 to 16 if not regularly employed; exceptions; penalty.— All parents, guardians, and other persons who have care of children, shall instruct them, or cause them to be instructed in reading, spelling, writing, language, English grammar, geography, history and civics, physiology and hygiene and arithmetic. Every parent, guardian or other person having charge of any child between the ages of eight and fourteen years shall send such child to a public, private, or parochial school, for the full time that the school attended is in session, which shall in no case be for less than sixteen weeks during any current year, and said attendance shall begin within the first week of the school term, unless the child is excused from such attendance by the superintendent of the public schools, in city and other districts having such superintendent, or by the clerk of the board of trustees in districts not having such superintendent, or by the principal of the private, or parochial school, upon satisfactory showing, either that the bodily or mental condition of the child does not permit of its attendance at school, or that the child is being instructed at home by a person qualified, in the opinion of the superintendent of schools in city or other districts having such superintendent, or the clerk of the board of trustees in districts not having such superintendent, to teach the branches named in this section: *Provided*, That the county superintendent may excuse children from attendance upon such schools where in his judgment the distance makes such attendance an undue hardship. In case the county superintendent, city superintendent, principal or clerk refuses to excuse a child from attendance at school, an appeal may be taken from such decision to the district court of the county, upon giving a bond, within ten days after such refusal, to the approval of said court, to pay all costs of the appeal, and the decision of the district court in the matter shall be final. All children between the ages of fourteen and sixteen years, not engaged in some regular employment, shall attend school for the full term during which the school of the district in which they reside are in session during the school year, unless excused for the reason above named. Any parent, guardian or other person having the care of or custody of a child between the ages of eight and fourteen years, who shall fail to comply with the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars nor more than twenty dollars. [1913 C 76 s 1100]

ALL OCCUPATIONS

EMPLOYMENT CERTIFICATES

Certificates required under 14 for employment during school hours; educational requirements from 14 to 16; school authorities to issue certificates; lists required under 16; penalty.— No child under fourteen years of age shall be employed or be in the employment of any person, company or corporation during the school term and while the public schools are in session, unless such child shall present to such person, company or corporation an age and schooling certificate herein provided for. An age and schooling certificate shall be approved by the superintendent of schools or by a person authorized by him, in city or other districts having such superintendent, or by the clerk of the board of trustees in districts not having such superintendent, upon a satisfactory proof of the age of such minor and that he has successfully completed the studies enumerated in section 1100 of this chapter; or if between the ages of fourteen and sixteen years, a knowledge of his or her ability to read intelligently and write legibly the English language. The age and schooling certificate shall be formulated by the superintendent of public instruction and the same furnished, in blank, by the clerk of the board of trustees. Every person, company, or corporation employing any child under sixteen years of age, shall exact the age and schooling certificate prescribed in this section, as a condition of employment and shall keep the same on file, and shall upon the request of the truant officer hereinafter provided for, permit him to examine such age and schooling certificate. Any person, company or corporation, employing any minor contrary to the provisions of this chapter shall be fined not less than twenty-five nor more than fifty dollars for each and every offense. [1913 C 76 s 1101]

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ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 14 to 16 who can not read and write English; employment of such children during school hours prohibited; penalty.—All minors over the age of fourteen and under the age of sixteen years, who can not read and write the English language shall be required to attend school as provided in section 1100 of this chapter, and all provisions of said section shall apply to said minors: *Provided*, That such attendance shall not be required of such minors after they have secured a certificate from the superintendent of schools in districts having superintendents, or the clerk of the board of trustees in districts not having superintendents, that they can read, and write the English language. No person, company, or corporation, shall employ any such minor during the time schools are in session, or having such minor in their employ shall immediately cease such employment, upon notice from the truant officer who is hereinafter provided. Every person, company or corporation violating the provisions of this section, shall be fined not less than twenty-five nor more than fifty dollars for each and every offense. [1913 C 76 s 1102]

ENFORCEMENT AND PENALTIES

Appointment, duties, and powers of truant officers.—To aid in the enforcement of this act truant officers shall be appointed and employed as follows: In districts of the first and second classes the board of trustees shall appoint and employ one or more truant officers; in districts of the third class, the trustees shall appoint if they deem it advisable, a constable or other person as truant officer; in districts not appointing a truant officer, it shall be the duty of the county superintendent to act as truant officer. The compensation of the truant officer shall be fixed and paid by the board appointing him. The truant officer shall be vested with police powers, the authority to serve warrants, and have authority to enter workshops, factories, stores, and all other places where children may be employed, and do whatever may be necessary, in the way of investigation or otherwise to enforce the provisions of this chapter; he is also authorized and it shall be his duty to take into custody the person of any youth between eight and fourteen years of age, or between fourteen and sixteen years of age when not regularly employed or when unable to read and write the English language, who is not attending school, and shall conduct said youth to the school he has been attending, or which he should rightfully attend. The truant officer shall institute proceedings against any officer, parent, guardian, person, or corporation, violating any provisions of this chapter and perform such other services as the superintendent of schools or the board of trustees may deem necessary to preserve the morals and secure the good conduct of school children and to enforce the provisions of this chapter. The truant officer shall keep a record of his transactions for the inspection and information of the superintendent of the schools and the board of trustees; and he shall make daily reports to the superintendent of schools during the school term in districts having superintendents, and to the clerk of the board of trustees in districts not having superintendents as often as required by him. Suitable blanks for the use of the truant officer shall be provided by the clerk of the board of trustees. [1913 C 76 s 1103]

Duties of principals, teachers, etc.—It shall be the duty of all principals, and teachers of all schools, public, private and parochial, to report to the clerk of the board of trustees of the district in which the schools are situated, the names, ages, and residence of all pupils in attendance at their schools, together with such other facts as said clerk may require, in order to facilitate the carrying out of the provisions of this chapter and the clerk shall furnish blanks for such purpose, and such report shall be made during the last week of each month from September to June inclusive, of each year. It shall be the further duty of such principals and teachers to report to the truant officer, the superintendent of public schools, or the clerk of the board of trustees, as the case may be, all cases of truancy or incorrigibility in their respective schools as soon after these offenses have been committed, as practicable. [1913 C 76 s 1104]

Duties of truant officers; penalty for violation.—On request of the superintendent of schools, or the board of trustees, or when it otherwise comes to his notice, the truant officer shall examine into any case of truancy or nonattendance within his district, and warn said truant or nonattendant and his parent, guardian, or other person in charge, in writing, of the final consequence of truancy or nonattendance if persisted in. When any child between the ages of eight and fourteen years or any child between the ages of fourteen and sixteen years who cannot read and write the English language,

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or who is not regularly employed, is not attending school in violation of the provisions of this chapter the truant officer shall notify the parent, guardian or other person in charge of such child, of the fact, and require such parent, guardian or other person in charge, to cause the child to attend some recognized school within two days from the date of the notice; and it shall be the duty of the parent, guardian, or other person in charge of the child, so to cause its attendance at some recognized school. Upon failure to do so the truant officer shall make complaint against the parent, guardian or other person in charge of the child in any court of competent jurisdiction in the district in which the offense occurs, for such failure, and upon such conviction, the parent, guardian, or other person in charge shall be fined not less than five dollars, nor more than twenty dollars, or the court may in its discretion, require the person so convicted to give bond in the penal sum of one hundred dollars, with sureties, to the approval of the court, conditioned that he or she will cause the child under his or her charge to attend some recognized school within two days thereafter and to remain at such school during the term prescribed by law; and upon the failure or refusal of any parent, guardian, or other person to pay said fine and costs or furnish said bond according to the order of the court, then said parent, guardian or other person shall be imprisoned in the county jail not less than ten days nor more than thirty days. [1913 C 76 s 1105]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Poor relief for child failing to attend on account of poverty compelling employment.—When any truant officer is satisfied that any child, compelled to attend school by the provisions of this chapter is unable to attend school because absolutely required to work, at home or elsewhere, in order to support itself or help support, or care for others legally entitled to its services, who are unable to support or care for themselves, or who are unable to attend school because of some physical ailment, the truant officer shall report the case to the authorities charged with the relief of the poor, and it shall be the duty of said officers to afford such relief as will enable the child to attend school the time each year required under the provisions of this chapter. Such child shall not be considered or declared a pauper by reason of the acceptance of the relief herein provided for. In case the child or its parents or guardians, refuses to or neglects to take advantage of the provisions thus made for its instruction, such child may be committed to the industrial school * * *. In all cases where relief, including books, medical aid and clothing is necessary it shall be the duty of the board of trustees to furnish such aid free of charge and said board of trustees may furnish any further relief it may deem necessary, the expense incident to furnishing said books, medical aid, clothing and further relief to be paid from the general fund of the school district. [1913 C 76 s 1108]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day in these occupations and in telegraph offices, hotels, etc.; exceptions during week before Christmas; other exceptions.—No female shall be employed in any manufacturing, mechanical or mercantile establishment, telephone exchange room, or office, or telegraph office, laundry, hotel or restaurant in this State, for more than nine hours in any one day. The hours of work may be so arranged so as to permit the employment of females at any time so that they shall not work more than nine hours during the twenty-four of any one day: *Provided*, That females may be employed, in retail stores to work, not to exceed ten hours in any one day for one week immediately preceding Christmas Day: *And provided further*, That overtime at extra compensation shall be allowed where life or property is in imminent danger. [1913 C 108 s 1]

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SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not employed in the active duties of their employment. [1913 C 108 s 2]

PENALTY

Violation of act.—Any employer who shall require any female to work in any of the places mentioned in section 1, more than the number of hours provided in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to so arrange the work of females in his employ, so that they shall not work more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect or refuse to provide suitable seats, as provided in section 2 of this act, or who shall permit or suffer any overseer, superintendent or other agent of any such employer to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offense not less than fifty ($50.00) dollars, nor more than two hundred ($200.00) dollars, or be imprisoned in the county jail for a period of not less than ten nor more than sixty days, or [suffer] both such fine and imprisonment. [1913 C 108 s 3]

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NEBRASKA

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of State labor commissioner.—The duties of the [State labor] commissioner shall be * * * to examine into * * * the employment of illegal child labor; the exaction of unlawful hours of labor from any employee * * *. [Revised Statutes 1913 section 3554]

STORES, FACTORIES, OFFICES, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—It shall be the duty of every agent, proprietor, superintendent, or employer of female help in stores, factories, offices or schools within the State of Nebraska to provide a chair, stool, or seat for each and every such employee, upon which their female workers shall be allowed to rest when their duties will permit, or when said position does not interfere with the faithful discharge of their incumbent duties. [R S 1913 s 3562]

Penalty.—Any neglect or refusal to provide a chair, stool or seat for every female worker in the employ of any agent, proprietor, superintendent or employer in the State of Nebraska shall be deemed a misdemeanor, and upon conviction thereof such agent, proprietor, superintendent or employer shall be fined in a sum not less than ten dollars nor more than two hundred dollars, and stand committed until such fine be paid, and shall likewise be liable to an action for damages to such female worker whose health has been injured by this neglect of her employer to provide a chair, stool or seat, as required by the next preceding section. [R S 1913 s 3563]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day, 54 a week, and night work prohibited, in certain cities; exceptions.—In metropolitan cities, in cities of the first class having more than 40,000 and less than 100,000 inhabitants, in cities of the first class having less than 40,000 and more than 25,000 inhabitants, in cities of the first class having more than 5,000 and less than 25,000 inhabitants, no female shall be employed in any

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manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, office, or by any public service corporation in this State more than nine hours during any one day or more than fifty-four hours in one week. The hours of each day may be so arranged as to permit the employment of such female at any time from six o'clock a. m. to ten o'clock p. m., but in no case shall such employment exceed nine hours in any one day: *Provided however*, Such female shall not be employed between the hours of 10 p. m. and 6 a. m.: *Provided further*, Public service corporations may employ females between the hours of ten p. m. and six a. m. [R S 1913 s 3564 as amended by 1915 C 71]

Court decision.—A former section on the above subject was held constitutional.—Wenham v. State, 65 Neb. 394, 91 N. W. 421 (1902).

Hours to be posted.—Every such employer shall post in a conspicuous place in every room where such females are employed, a printed notice stating the number of hours work required of them each day of the week, the hours of commencing and stopping such work, and the hours when the time or times allowed for dinner or for other meals begins and ends. Printed forms of such notice shall be furnished by the deputy labor commissioner, and the form of such notice approved by the attorney general of this State. [R S 1913 s 3565]

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every such employer in such establishment, shall provide suitable seats for the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. [R S 1913 s 3566]

ENFORCEMENT AND PENALTIES

Violation; duties of deputy labor commissioner.—Any employer, overseer, superintendent or other agents of any such employer who shall violate any of the provisions of the three next preceding sections, shall be fined for each offense in a sum not less than twenty dollars nor more than fifty dollars; and it is hereby made the duty of the deputy labor commissioner to enforce the provisions of the three next preceding sections. [R S 1913 s 3567]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, THEATERS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations and in saloons, etc., and in any business or service during school hours.—No child under fourteen years of age shall be employed, permitted or suffered to work in, or in connection with, any theater, concert hall, or place of amusement, or any place where intoxicating liquors are sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as a messenger or driver therefor, within this State. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever during the hours when the public schools of the town, township, village or city in which the child resides are in session. [R S 1913 s 3575]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16; lists to be posted; certificates to be returned to issuing office; proof of age may be required for children apparently under 16.—No child between fourteen and sixteen years of age shall be employed, permitted or suffered to work in any theater, concert hall, or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory, or workshop, or as a messenger or driver therefor, within this State, unless the person or corporation employing him procures and keeps on file and accessible to the truant officers of the town or city, the State commissioner of labor, and his deputies, and the members of the State board of inspection, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. Upon the

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termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith transmitted by the employer to the city or county superintendent of schools of the county in which the child resides, and shall be turned over to the child named therein upon demand. Any truant officer, the State commissioner of labor or his deputies, or any member of the State board of inspection may make demand on any employer in whose place of business a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this section, that such employer shall either furnish him within ten days, evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such place of business. The same evidence of the age of such child may be required from such employer as is required on the issuance of an employment certificate as hereinafter provided and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the truant officer, the State commissioner of labor or deputy State commissioner of labor, or member of the State board of inspection, within ten days after demand for the same, such evidence of the age of any child as may be required of him under the provisions of this article [s 3575–3587], and shall thereafter continue to employ such child or permit or suffer such child to work in such place of business, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this section, that such child is under sixteen years of age and is unlawfully employed. [R S 1913 s 3576]

School authorities to issue certificates; exceptions; records of issuing office.—An employment certificate shall be approved only by the superintendent of schools of the school corporation in which the child resides, or by a person authorized by him in writing, or where there is no superintendent of schools, by a person authorized by the school district officers: *Provided*, No school district officer or other person authorized as aforesaid shall have authority to approve such certificate for any child then in, or about to enter, his own employment, or the employment of a firm or corporation of which he is a member, officer or employee, or in whose business he is interested. The officer or person approving such certificate shall have authority to administer the oath provided for therein, or in any investigation or examination necessary for the approval thereof. No fee shall be charged for approving any such certificate nor for administering any oath or rendering any services therein in respect thereto. The board of directors of each school corporation shall establish and maintain proper records where copies of all such certificates and all documents connected therewith shall be filed and preserved, and shall provide the necessary clerical services for carrying out the provisions of this article [s 3575–3587]. [R S 1913 s 3577]

Method of issuing certificates; age and school records required; physical and mental fitness for the work.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers duly executed: The school record of such child, properly filled out and signed as provided in this article [s 3575–3587], showing that the child has completed the work of the eighth grade of the public schools, or its equivalent, or is regularly attending night school in compliance with this article. A passport or duly attested transcript of the certificate of birth or baptism, or other religious or official record showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child. The affidavit of the parent, or guardian, or custodian of a child, which shall be required, however, only in case none of the documents mentioned above can be produced and filed, showing the place and date of birth of such child; which affidavit must be taken before the officer issuing the employment certificate. Such employment certificate shall not be issued until such child has personally appeared before, and been examined by, the officer issuing the certificate and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that, in his opinion, the child is fourteen years of age, or upwards, and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health, or by a physician provided by the State board of inspection. Whenever the person authorized to issue the employment certificate is in doubt about the age of a child, he may require the party or parties making application for the certificate to appear before the judge of the juvenile court, or the county

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judge, where the question of the age of the child shall be determined and the judgment of the court shall be final and binding upon the person issuing the certificate. Notice of the hearing before the court shall be given to some one of the persons mentioned in section 26 [3576], authorized to demand inspection of employment certificates. Every employment certificate shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. [R S 1913 s 3578]

Contents of certificates.—Such certificate shall state the date and place of birth of such child and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and filed, and that the child named in such certificate has appeared before the officer signing the certificate and been examined. [R S 1913 s 3579]

Contents of school record.—The school record required by section 28 [3578] shall be signed by the teacher and principal of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools, or schools equivalent thereto, or parochial schools for not less than three-fourths of the school year previous to his arriving at the age of fourteen years, or during the year previous to applying for such school record, and is able to read and write simple sentences in the English language. It shall also state the amount of work completed by such child, measured by the grade of the public day schools in the city or county. Such school record shall also give the age and residence of the child as shown on the records of the school, and the name of its parent, or guardian or custodian. [R S 1913 s 3580]

Monthly reports to commissioner of labor of certificates issued.—The superintendent of schools, or the school directors of any village, town, or county, shall transmit between the first and tenth day of each month to the office of the State commissioner of labor a list of the names of the children to whom certificates have been issued. [R S 1913 s 3581]

COMPULSORY EVENING SCHOOL ATTENDANCE

Children from 14 to 16 who have not completed the eighth grade not to be employed without attendance certificates from evening school; penalty for employer, parent, etc.—Regular attendance of a child at any public evening school, maintained in any city or village where instruction is given not less than twenty weeks each year, and three evenings each week, and two hours each evening, shall authorize the issuance of a certificate of employment where the schooling certificate fails to show that the child has completed the work of the eighth grade, required by section 30 [3580]: *Provided*, The schooling certificate and all other certificates are otherwise in due form, and the applicant further produces a certificate from the superintendent, or principal, of such public evening school, showing the regular attendance of such child at such evening school: *Provided further*, Every child employed under such certificate shall furnish to his employer a weekly certificate showing regular attendance each week while the evening school is in session. Whoever employs a child in violation of the provisions of this section shall be fined not more than fifty dollars for each offense. A parent, guardian or custodian who permits a child under his control to be employed in violation of the provisions of this section shall be fined not more than twenty dollars. [R S 1913 s 3582]

EMPLOYMENT CERTIFICATES AND RECORDS

Contents of various certificates; records of issuing office.—The age and schooling certificate provided for herein shall be made out upon blank forms furnished by the State commissioner of labor and shall be in the following forms:

SCHOOL ATTENDANCE CERTIFICATE.

(Name of school), (city or town), NEBRASKA, (date).

This certifies that (name of child) has completed the work of the ..th grade, and can read and write legibly simple sentences in the English language.

This also certifies that according to the records of this school and in my belief, the said (name of child) was born at (city or town), in ..... county, State of ....., on the (date), and is now .... years and .... months old, and has attended said school within the past twelve months the following period .....

(Name of parent or guardian),
(Residence.)

(Signature) .... teacher.
(Signature) .... principal.

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AGE AND SCHOOLING CERTIFICATE.

(City or town), NEBRASKA, (date).

This certifies that I am the (father, mother, guardian, or custodian), of (name of child) and that .... was born at ....., in ..... county, State of ....., on the ....., and is now .... years and .... months old.

(Signature of father, mother, guardian, or custodian).

(Name of city or town), NEBRASKA, (date).

There personally appeared before me, the above named (name of person signing), and being sworn testified that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge or belief.

I hereby approve the foregoing certificate of ....., height .... feet .... inches, weight .... pounds .... ounces, complexion (fair or dark), hair (color), eyes (color), having no sufficient reason to doubt that (he or she) is of the age herein certified. I hereby certify that (he or she) (can or cannot) read at sight and write legibly simple sentences in the English language; that said child has appeared before me and been personally examined by me; that all certificates and papers required by law have, in due form, been presented to, and approved by, me and the same have been placed on file.

(In case the child is attending school insert here the following:)
I further certify that (he or she) is regularly attending the (name of school). This certificate shall continue in force only so long as the regular attendance of said child at said school is certified weekly by a teacher thereof.

This certificate belongs to (name of child) and is to be surrendered to the superintendent of schools whenever (he or she) leaves the service of the person, firm or corporation holding the same as employer.

(Signature and official title of person authorized to approve and sign).

EVENING SCHOOL ATTENDANCE CERTIFICATE.

This certifies that (name of child) is registered in and regularly attends the ..... evening school. This also certifies that according to records of my school and in my belief (name of child) was born at (name of city or town) on the .... day of ..... 19.. and is now .... old.

(Name of parent or guardian)
(Signature of teacher)
(Signature of principal)

Duplicate copies of such certificates shall be retained in all cases by the person or officer issuing the same and kept on file by the superintendent of schools or school district directors of the county in which the same are issued. [R S 1913 s 3583]

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No person under the age of sixteen years shall be employed or suffered or permitted to work in any theater, concert hall, or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, packing house, bowling alley, passenger or freight elevator, factory, workshop, beet field or as a messenger or driver therefor, more than forty-eight hours in any one week, nor more than eight hours in any one day, nor before the hour of six o'clock in the morning, nor after the hour of eight o'clock in the evening. Every employer shall post in a conspicuous place in every room where such children are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the State commissioner of labor. [R S 1913 s 3584]

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ENFORCEMENT AND PENALTIES

Duties and powers of deputy commissioner of labor and truant officers; penalties for violation, failure to produce certificates, etc., retention of certificates, false statements, hindering inspectors, etc.—Whoever employs a child under sixteen years of age and whoever, having under his control a child under such age, permits such child to be employed in violation of this article [s 3575–3587] shall for each offense be fined not more than fifty dollars; and whoever continues to employ any child in violation of either or any section of this article, after being notified by a truant officer, or a deputy commissioner of labor, or a member of the State board of inspection, shall for every day thereafter that such employment continues be fined not less than five dollars nor more than twenty dollars. The failure of an employer of child labor to produce, upon the request of a person authorized to demand the same, any employment certificate or list required by this article, shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not listed. Any corporation or employer retaining employment certificates in violation of this article shall be fined ten dollars. Every person authorized or required to sign any certificate or statement prescribed by this article, or who knowingly certifies or makes oath to any material false statement therein or who violates any of the provisions of this article, shall be fined not to exceed fifty dollars. Every person, firm or corporation, agent or manager, superintendent or foreman of any person, firm or corporation who shall refuse admittance to any officer or person authorized to visit or inspect any premises or place of business under the provisions of this article and to produce all certificates and lists he may have, when demanded, after such person shall have announced his name and the office he holds and the purpose of his visit, or shall otherwise obstruct such officers in the performance of their duties as prescribed by this article, shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not exceeding fifty dollars, or be imprisoned not to exceed thirty days. The presence of a child under sixteen years of age, apparently at work, in any of the places of business enumerated in this article shall be prima facie evidence of his employment therein. It shall be the duty of the deputy commissioner of labor and the several truant officers to enforce the provisions of this article, and every county attorney, when informed by any officer or person authorized to inspect places where child labor is employed, that any of the provisions of this article have been violated, shall file or cause to be filed information against the person or persons guilty of such offense and cause the arrest and prosecution of the same: *Provided*, Nothing in this article shall prevent any other person from causing the enforcement of the provisions of this article. Truant officers shall visit the places of business enumerated in this article to ascertain whether any children are employed therein contrary to the provisions of this article, and they shall report any cases of such illegal employment to the commissioner of labor and to the county attorney. [R S 1913 s 3585]

Appointment and powers of board of inspectors; board may demand certificates of physical fitness for children under 16.—It is the duty of the governor to appoint five persons, two, at least, of whom shall be women who shall constitute the board of inspectors and who shall serve without compensation. The term for which such inspectors shall serve is hereby made one, two, three, four and five years, respectively. The appointment shall designate the term for which each inspector is appointed. The governor shall each year appoint one person to serve for a period of five years and shall also fill any vacancy on the board. The chairman shall be the executive head of the board and shall reside in the county employing the largest number of children under the age of sixteen years. Any member of the board of inspectors shall have power to demand the examination, by some regularly licensed physician to be selected by the board, of any child under sixteen years of age who may seem physically unable to perform the labor at which such child may be employed, and no child under sixteen shall be employed who can not obtain a certificate of fitness from such physician. [R S 1913 s 3586]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 16 prohibited; penalty.—No child under the age of sixteen years shall be employed in any work which by reason of the nature of the work, or place of performance, is dangerous to life or limb, or in which its health may be injured or its morals may be depraved. Any parent, guardian, or other person, who, having

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under his control any child, causes or permits such child to work or be employed in violation of this section, shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars, or be imprisoned not exceeding ten days. [R S 1913 s 3587]

Court decision.—Whether digging a cave in the side of a hill is dangerous to life and limb is a question for the jury, and if the employment of a child under 16 is the cause of the injury the employer is liable.—Hankins *v.* Reimers, 86 Neb. 307, 125 N. W. 516 (1910).

FACTORIES, WORKSHOPS, MECHANICAL AND MERCANTILE ESTABLISHMENTS, ETC.

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; enforcement: powers of labor commissioner, etc.—Every factory, mill, workshop, mercantile or mechanical establishment or other building where one or more persons are employed, shall be provided within reasonable access, with a sufficient number of water-closets, earth closets or privies for the reasonable use of the persons employed therein, and whenever male and female persons are employed as aforesaid together, water-closets, earth closets or privies, separate and apart, shall be provided for the use of either sex, and plainly so designated, and no person shall be allowed to use such closet or privy assigned to the other sex. Such closet shall be properly enclosed and ventilated and at all times kept in a clean and good sanitary condition. * * * The labor commissioner, his deputy or any factory inspector, may require such changes in the placing of such closets as he may deem necessary and may require other changes which may serve the best interest of morals and sanitation. [R S 1913 s 3588]

Separate dressing rooms for girls when ordered by inspector.—In factories, mills or workshops, mercantile or mechanical establishments or other places where the labor performed by the operator is of such a character that it becomes necessary to change the clothing, wholly or in part, before leaving the building at the close of the day's work, separate dressing rooms shall be provided for females whenever so required by the labor commissioner, his deputy or any factory inspector. * * * [R S 1913 s 3589]

Enforcement: duties and powers of deputy labor commissioner, factory inspectors, etc.—For the purpose of carrying out the provisions of this article [s 3588–3612], the commissioner of labor, and deputy commissioner of labor and all factory inspectors are hereby authorized and required to inspect all factories, mills, workshops, mercantile or mechanical establishments or other places of employment where one or more persons are employed as the means of determining where the provisions of this article are being violated. The deputy commissioner of labor may appoint such persons as are necessary to serve as factory inspectors for the purpose of making inspections under the provisions of this article * * *. It shall also be the duty of the deputy labor commissioner, or his deputies, and every factory inspector of this State upon ascertaining the facts that the proprietors or managers of any factory, workshop, mill, mercantile or mechanical institution or other concern where one or more persons are employed have failed to comply with the provisions of this article, to make complaint of the same in writing before a justice of the peace or police magistrate having jurisdiction, who shall thereupon issue his warrant, direct to the owner, manager or agent, in such factory or workshop, who shall be thereupon proceeded against for the violation of this article as hereinafter mentioned, and it is made the duty of the prosecuting attorney to prosecute all violations of this article. [R S 1913 s 3600]

Penalty.—Any owner, lessee, or any person or corporation having charge of any of the aforesaid buildings or places, or any such person or persons or company, or managers, superintendents or directors of any such company or corporation, who shall have the charge or management of such factory or workshop, or places aforesaid, who shall fail to comply with the provisions of this article [s 3588–3612], shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not less than ten dollars, and not exceeding one hundred dollars. [R S 1913 s 3601]

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ALL OCCUPATIONS

MINIMUM WAGE

Minimum wage commission established; organization.—There is hereby established a commission to be known as the Nebraska minimum wage commission. The governor is hereby made a member of said commission. Within thirty days from the passage and approval of this article [s 3616–3637] he shall appoint the following additional members: Deputy commissioner of labor; a member of the political science department of the University of Nebraska; one other member who shall be a citizen of the State. At least one member of said commission shall be a woman. Each of the above appointments shall be for a period of two years and may be renewed thereafter. Any vacancy occurring in the commission shall be filled by the governor. Within ten days after such appointment the commission shall meet and organize by the election of a chairman and secretary. [R S 1913 s 3616]

Compensation; expenses.—Each commissioner shall be paid all traveling and other expenses incurred in the performance of his or her official duties. The commission may incur other necessary expenses not exceeding the biennial appropriation therefor and shall be provided with an office in the statehouse or at the State university. [R S 1913 s 3617]

Commission to investigate wages paid to females.—It shall be the duty of the commission to inquire into the wages paid to the female employees in any occupation in the Commonwealth, if the commission has reason to believe that the wages paid to a substantial number of such employees are inadequate to supply the necessary cost of living and to maintain the worker in health. [R S 1913 s 3618]

Method of establishing wage board.—If after such investigation, the commission is of the opinion that in the occupation in question the wages paid to a substantial number of female employees are inadequate to supply the necessary cost of living and to maintain the worker in health, the commission shall establish a wage board consisting of not less than three representatives of employers in the occupation in question and of an equal number of persons to represent the female employees in said occupation, and in addition thereto the three appointed members of the commission to represent the public. The chairman of the commission shall be chairman of the wage board and shall make rules and regulations governing the procedure of the board and exercise jurisdiction over all questions arising with reference to the validity of the procedure and the determinations of the board. The secretary of the commission shall be secretary of the wage board and keep such record of hearings and arguments as the wage board shall direct. The members of wage boards shall be compensated at the same rate as jurors in district court; they shall be allowed necessary traveling and other expenses incurred in the performance of their duties, these payments to be made from the appropriation for the expenses of the commission. [R S 1913 s 3619]

Duties of wage board; method of determining minimum wage.—The commission may transmit to each wage board all pertinent information in its possession relative to the wages paid in the occupation in question. Each wage board shall take into consideration the needs of the employees, the financial condition of the occupation and the probable effect thereon of any increase in the minimum wages paid, and shall endeavor to determine the minimum wage, whether by time rate or piece rate, suitable for a female employee of ordinary ability in the occupation in question, or for any or all of the branches thereof, and also suitable minimum wages for learners and apprentices and for minors below the age of eighteen years. When two-thirds of the members of a wage board shall agree upon minimum wage determinations, they shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto, and also the names, so far as they can be ascertained by the board, of employers who pay less than the minimum wage so determined. [R S 1913 s 3620]

Commission may decree a minimum wage; hearings; publication of facts and names of employers who do not comply with decree; appeal from decree.—Upon receipt of a report from a wage board, the commission shall review the same, and report its review to the governor. If the commission approves any or all of the determinations of the wage board it shall, after not less than thirty days' notice to employers paying a wage less than the minimum wage approved, give a public hearing to such employers, and if, after such public hearing, the commission finally approves the determination, it shall enter a decree of its findings and note thereon the names of employers, so far as they may be known to the commission, who fail or refuse to accept such minimum wage and to agree to abide by it. The commission shall, within thirty days thereafter, publish the names of all such employers in at least one newspaper in each county in

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the Commonwealth, together with the material part of its findings, and a statement of the minimum wages paid by every such employer. Any employer upon filing a declaration under oath in the district court to the effect that compliance with such decree would endanger the prosperity of the business to which the same is made applicable, shall be entitled to a stay of execution of such decree, and a review thereof with reference to the question involved in such declaration. Such review shall be made by the court under the rules of equity procedure, and if it shall be found by the court that compliance with such decree is likely to endanger the prosperity of the business to which the same is applicable, then an order shall issue from said court revoking the same. The type in which the employers' names shall be printed shall not be smaller than that in which the news matter of the paper is printed. The publication shall be attested by the signature of at least a majority of the commission. [R S 1913 s 3621]

Recommendation of majority but not two-thirds of board.—In case a wage board shall make a recommendation of a wage determination in which a majority, but less than two-thirds of the members concur, the commission, in its discretion, may report such recommendation and the pertinent facts relating thereto to the legislature. [R S 1913 s 3622]

Reconsideration of minimum wage rate established.—Whenever a minimum wage rate has been established in any occupation, the commission may, upon petition of either employers or employees, reconvene the wage board or establish a new wage board; and any recommendation made by such board shall be dealt with in the same manner as the original recommendation of a wage board. [R S 1913 s 3623]

Special individual minimum wage may be granted woman physically defective, in occupations having only minimum time rate.—For any occupation in which a minimum time rate only has been established, the commission may issue to any woman physically defective a special license authorizing the employment of the licensee for a wage less than the legal minimum wage: *Provided*, It is not less than the special minimum wage fixed for that person. [R S 1913 s 3624]

Minimum wage for minors; method of procedure.—The commission may at any time inquire into the wages paid to minors in any occupation in which the majority of employees are minors, and may, after giving public hearings, determine minimum wages suitable for such minors. When the commission has made such a determination, it may proceed in the same manner as if the determination had been recommended to the commission by a wage board. [R S 1913 s 3625]

Records to be kept by employers; power of commission to subpoena witnesses, etc.—Every employer of women and minors shall keep a register of the names and addresses of all women and minors employed by him, and shall on request permit the commission or any of its members or agents to inspect the register. The commission shall also have power to subpoena witnesses, administer oaths and take testimony, and to examine such parts of the books and records of employers as relate to the wages paid to women and minors. Such witnesses shall be summoned in the same manner and be paid from the treasury of the Commonwealth the same fees as witnesses before the district court. [R S 1913 s 3626]

Power of commission to have statistics gathered.—The commission may cause such statistics and other data to be gathered as it may deem desirable, and the cost thereof shall be paid out of the appropriation made for the expenses of the commission. [R S 1913 s 3627]

Testimony of employee not to cause discharge or discrimination; penalty.—Any employer who discharges or in any other manner discriminates against any employee because such employee has testified, or is about to testify, or because the employer believes that the employee may testify, in any investigation or proceeding relative to the enforcement of this article [s 3616–3632], shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of twenty-five dollars for each offense. [R S 1913 s 3628]

Names of employers violating decrees to be published.—The commission shall from time to time determine whether employers in each occupation investigated are obeying its decrees, and shall publish in the manner provided in section 71 [3621] of this chapter, the name of any employer whom it finds to be violating any such decree. [R S 1913 s 3629]

Penalty for newspapers not publishing findings, decrees, or notices.—Any newspaper publisher or publishers, refusing or neglecting to publish the findings, decrees or notices of the commission at its regular rates for the space taken, shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars for each offense. [R S 1913 s 3630]

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No suit for damages because of such publication.—No member of the commission and no newspaper publisher, proprietor, editor or employee thereof, shall be liable to an action for damages for publishing the name of any employer in accordance with the provisions of this article [s 3616–3632], unless such publication contains some willful misrepresentation. [R S 1913 s 3631]

Biennial reports.—The commission shall make a report to the governor on or before the first day of November, 1914, and biennially thereafter, covering the results secured and data gathered in its work. It may also make such additional reports in the form of bulletins from time to time as in its judgment shall best serve the public interest. [R S 1913 s 3632]

RAILROADS[1]

HOURS OF LABOR

Application of act; definitions.—The provisions of this article [s 6087–6103] shall apply to any common carrier or carriers, their officers, agents and employees, engaged in the transportation of passengers or property by railroad in the State of Nebraska, and the term "railroad" as used in this article shall include all bridges and ferries used or operated in connection with any railroad, whether owned or operated under a contract agreement or lease, and the term "employees," as used in this article, shall be held to mean persons actually engaged in or connected with the movement of any train. [R S 1913 s 6087]

Period of rest after 16 hours' work for certain employees; 9 or 13 hours a day for certain telephone and telegraph operators; exceptions.—It shall be unlawful for any common carrier, its officers or agents subject to this article [s 6087–6103] to require or permit any employee subject to this article to be, or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours, he shall be relieved and not be permitted or required to again go on duty without having at least ten consecutive hours' rest off duty, and no such employee, who has been on duty sixteen hours in the aggregate in any twenty-four hour period, shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, No operator, train dispatcher, or other employee who by the use of the telegraph, or telephone, dispatches[,] reports, transmits or receives or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four hour period in all towers, offices, places and stations continuously operated day and night, nor for a longer period than thirteen hours in all towers, offices, and places and stations operated only during the daytime, except in cases of emergency, when the employees named in this proviso may be permitted to be or remain on duty for four additional hours in a twenty-four hour period or not to exceed three days in any one week: *Provided further*, The State railway commission may, after full hearing in a particular case, and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to such case. [R S 1913 s 6088]

Penalty; application of act; exceptions.—Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be or remain on duty in violation of the next preceding section, shall be liable to a penalty of not to exceed five hundred dollars for each and every violation thereof, to be recovered in a suit or suits to be brought by the county attorney of the county in the State having jurisdiction in the locality where the violation shall have been committed, and it shall be the duty of such county attorney to bring such suits upon satisfactory information being lodged with him, but no such suit shall be brought after the expiration of one year from the date of such violations as may come to his knowledge. In all prosecutions under this article [s 6087–6103] the common carrier shall be deemed to have had knowledge of all acts of its officers and agents: *Provided*, The provisions of this article shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier, or its officers and agents in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, This article shall not apply to the crews of wrecking or relief trains. [R S 1913 s 6089]

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[1] See court decision on page 7 (New York).

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Enforcement: duties and powers of State railway commissioners.—It shall be the duty of the State railway commissioners to execute and enforce the provisions of the next three preceding sections, and all powers granted to the State railway commission are hereby extended to it in the execution thereof. [R S 1913 s 6090]

Night work prohibited for telegraph operators under 21; exceptions.—It shall be unlawful for any common carrier within this State to put in charge of any telegraph office or signal tower between the hours of seven o'clock in the evening and seven o'clock in the morning, any telegraph operator or towerman whose duty it shall be to assist in the movement of trains, unless such telegraph operator or towerman shall have reached the age of at least twenty-one years: *Provided*, This section shall not apply when such common carrier is engaged in relieving its tracks of a train wreck, an act of God, or some public calamity. [R S 1913 s 6096]

Penalty.—Any common carrier within this State who shall violate the provisions of the next preceding section shall be deemed guilty of a misdemeanor, and upon conviction by any court of competent jurisdiction, shall be fined in any sum of not less than five nor more than fifty dollars for every night any such minor person is so employed in charge of every such railway station or tower. [R S 1913 s 6097]

Enforcement: duties and powers of State railway commission.—The commission shall investigate any and all cases of alleged neglect or violations of the laws of the State by any railway company, or common carrier subject to the provisions hereof, doing business in this State, or by the officers, agent or employees thereof, and take such action with reference thereto as may be provided herein, or under the laws of this State providing for the regulation of railway companies or common carriers. [R S 1913 s 6108]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 5 to 21.—Within ten days previous to the annual district meeting the director shall take the census of his district and make a list in writing of the names of all the children belonging thereto, between the ages of five and twenty-one years, together with the names of all taxpayers in the district. In case of the absence or inability of the director, such census shall be taken by the moderator or treasurer or such person as they may appoint, and a copy of the list, verified by the oath of the person taking such census, by affidavit appended to or indorsed thereon, setting forth that it is a correct list of the names of all children belonging to the district, between the ages of five and twenty-one years, and that it was taken within ten days preceding the annual meeting, shall be returned with the annual report of the director to the county superintendent: *Provided*, In cities of the first and second classes thirty days shall be allowed for taking the census. Such census to be completed before July 1st. [R S 1913 s 6774]

Report to be filed.—The director shall, within ten days after the annual district meeting, deliver to the county superintendent, to be filed in his office, a report under oath showing the whole number of children belonging to the district between the ages of five and twenty-one years according to the census taken aforesaid * * *. [R S 1913 s 6779]

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 15 outside of cities and from 7 to 16 in cities; exemptions over 14 if legally employed; other exemptions; evening school attendance may be required.—In school districts other than city and metropolitan city school districts every person, having legal or actual charge or control of any child or children or youth not less than seven nor more than fifteen years of age, shall, during each school year between the second Monday of July and the last Monday of June following, cause such child or children or youth to attend the public day schools for a period of not less than twelve weeks, and if the public day school of the school district in which the person or persons, having charge or control of such child or children or youth, may reside shall be in session during the school year between the second Monday of July and the last Monday of June following more than twelve weeks, then the person having legal control of such child or children or youth shall cause each of them to attend public day school not less than two-thirds of the entire time the school shall be in session during the school year as aforesaid; and in no case shall such attendance be for a less period than twelve weeks. In city and metropolitan city school districts every person residing within such school district, who has legal or actual charge or control of any child or children or youth not less than seven nor more than sixteen years of age, shall cause such child

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or children or youth to attend the public day school for the full period each school year in which the public day schools of such school district are in session. The portion of this article [s 6924–6928] requiring attendance in public day school shall not apply in any case where the child or youth is, for a time equal to that required by this article, instructed in some private or parochial school; or in any case where the child is instructed at home or elsewhere by a person qualified to give instruction in the studies required to be taught in the public schools; or in any case where the child or youth, being of the age of fourteen years, is legally and regularly employed for his own support or the support of those actually dependent upon him; or in any case where the child or youth is physically or mentally incapacitated for the work done in the schools, or in any case where the child or youth lives more than two miles from the school by the nearest practicable traveled road unless free transportation to and from such school is furnished to such child or youth. In case exemption is claimed on account of mental or physical incapacity, the school authorities shall have the right to employ a physician or physicians who shall have authority to examine such child or youth, and if such physician or physicians shall declare that such child or youth is capable of undertaking the work of the schools, then such child or youth shall not be exempt from the requirements of this article. In case exemption is claimed and granted on account of a child or youth of the age of fourteen years being legally and regularly employed for his own support or the support of those dependent upon him, such child or youth may, in the discretion of those charged with enforcement of this article, be required to attend a public evening school or some other suitable school for not less than two hours each school day and not less than three days each week for a school year of not less than twenty weeks. * * * [R S 1913 s 6924]

Enforcement; appointment, duties, and powers of truant officers.—Boards of education in cities, villages and metropolitan cities shall appoint one or more truant officers, who shall qualify as police officers; shall enforce the provisions of this law in the wards or districts for which they severally act; shall have authority to apprehend and take to his home or to some public, private or parochial school any child found in violation of this article [s 6924–6928], and shall be compensated for his or their services in such sums as shall be determined by the board of education to be paid out of the general school fund of the city or village. In all school districts in this State, any superintendent, principal, teacher or member of the board of education, who shall know of any violation of this article on the part of any child or children of school age, their parents, or persons in actual or legal control of such children or any other person, shall, as soon as possible, report such violation to the superintendent of public instruction of the county who shall immediately investigate the case and, if necessary, give written notice to the person or persons violating this article warning him or them to comply with its provisions; and, if in one week from the time such notices are given, such person or persons are still living in violation of this article, then such county superintendent shall file a complaint against such person or persons before the county judge of the county charging such persons with violation of the provisions of this article: *Provided*, If the violation occurred within any city the superintendent may, in his discretion, file such complaint before the police judge of such city. [R S 1913 s 6925]

Penalty.—Any person or persons violating the two next preceding sections shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not less than five dollars nor more than twenty-five dollars. [R S 1913 s 6926]

Enforcement: duties and powers of enumerators; penalty for false statement, etc.—In order that the provisions of this article [s 6924–6928] may be better enforced it is hereby ordered that all enumerators of persons of school age, in taking annual school census, shall ascertain and record the place and date of birth of each child enumerated, together with the school or schools attended, or the place or places in which or the person or persons by whom such child was instructed during the preceding school year, and the person having control of such child shall take oath or affirmation that such record is true. The enumerator is hereby empowered to administer such oath or affirmation. Any person who shall refuse to take such oath or affirmation, or who shall with intent to evade any of the provisions of this article, willfully make any false statements concerning any child or children under his control and subject to the provisions of this article, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than one dollar and not more than ten dollars. [R S 1913 s 6928]

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IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature, etc., by minors prohibited; penalty for employer parent, etc.—Whoever sells, lends, gives away or shows, or has in his possession with or without intent to sell, give away or show to any minor child any book, pamphlet, magazine, newspaper, story paper or other paper devoted to the publication, or principally made up of criminal news, police reports or accounts of criminal deeds or pictures and stories of immoral deeds, lust, crime * * * or uses or employs any minor child to give away, sell or distribute, or who, having the care, custody or control of any minor child, permits such child to sell, give away or distribute any such books, papers or pictures above described, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars nor less than fifty dollars, or be imprisoned not more than six months in the county jail, or both. [R S 1913 s 8790]

Employment agencies forbidden to send girls to immoral places, etc.—No [licensed employment] agency shall knowingly send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes. * * * [1915 C 209 s 10]

Enforcement: duties of deputy commissioner of labor; penalty.—It shall be the duty of the deputy commissioner of labor to enforce this act. When informed of any violation thereof it shall be his duty to investigate same, as hereinbefore provided, and he may institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act not otherwise provided for, shall be guilty of a misdemeanor and shall be fined not less than fifty ($50.00) dollars nor more than one hundred dollars ($100.00) for each offense or be imprisoned in the county jail for a period not to exceed three months or both such fine and imprisonment at the discretion of the court: *Provided*, That any person or persons who shall send any female help or servant to any place of bad repute, house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes, shall be punished by imprisonment for not less than thirty days nor more than three months and no license to operate an employment agency shall be issued to such party. [1915 C 209 s 11]

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Legislature may pass laws to secure attendance upon public schools.—The legislature * * * may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools. [Constitution article 11 section 2]

MINES

HOURS OF LABOR

Eight hours a day about the surface of underground mines; exceptions.—The number of hours of work or labor of mechanics, engineers, blacksmiths, carpenters, top men, and all workingmen employed or working on or about the surface or surface workings of any underground mine workings, shall not exceed eight (8) hours in any period of twenty-four (24) hours, except in cases of emergency where life or property is in imminent danger. [Revised Laws 1912 section 1941]

Penalty.—Any person who violates any of the provisions of this act [s 1941–1942], or any person, corporation, employer or agent who hires, contracts with, or in any manner causes or induces any person to work or labor on or about the surface or surface workings of any underground mine workings for more than eight hours in any period of twenty-four hours, except in cases of emergency where life or property is in imminent danger, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not longer than six months, or by both such fine and imprisonment. [R L 1912 s 1942]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 18.—* * * It shall be the duty of the school census marshals [of each district] to take annually in the month of April a census of the resident children of the districts for which they shall be appointed, and to report to the deputy superintendent of public instruction. * * * [R L 1912 s 3363 as amended by 1913 Chapter 113]

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Duties and powers of census marshal.—The school census marshal shall visit each home, habitation, residence, domicile, or place of abode in his district and require the necessary information of parents or others competent to give accurate information, supplementing and correcting this by actual observation when necessary. The school census marshal shall have power to administer the legal oath to parents, guardians, and other persons furnishing such information. [R L 1912 s 3364]

Contents of census reports.—The reports of the school census marshals shall be made upon blank forms to be furnished by the superintendent of public instruction, and shall show the following facts:

1. The full names of all children less than eighteen years of age and residing in the district on the first day of April, such names to be given by families under the name of the parents or guardian.
2. The year, month, and day on which each child was born, and the age in years, counting to the first day of April.
3. The sex and race of each child.
4. The place of birth of each child and of each parent.
5. The total number of children less than six years of age; the total number of children not less than six years of age nor over eighteen years of age. Only those children who are not less than six years of age nor more than eighteen years of age shall be considered as school census children.
6. Such other facts as the superintendent of public instruction may require. [R L 1912 s 3365 as amended by 1913 C 113]

Report to be filed.—Immediately after the school census marshal shall have completed the work of taking the census, he shall submit a report of the same, according to a form to be prescribed by the superintendent of public instruction, to the clerk of the board of school trustees, and if the clerk finds the report to be correct, according to the best of his knowledge, he shall approve the same and certify to its correctness, after which the census marshal shall transmit it to the deputy superintendent of public instruction with a sworn statement to the effect that reasonable diligence and care have been exercised and that, to the best of his knowledge, all parts of the report are correct. [R L 1912 s 3367]

Penalty for false reports, etc.—If the school census marshal of any district neglects or refuses to make his report at the time and in the manner prescribed by law, or if he, with intention to defraud the State, or through failure to exercise reasonable care, include the names of children in violation of law, or if he report their names, ages or number falsely, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine in any amount not less than five or more than one hundred dollars, or by imprisonment in the county jail not less than five nor more than thirty days, and it shall be the duty of the various district attorneys to cause the arrest and prosecution of such persons upon information furnished by the superintendent of public instruction, other school officers, or by other persons. [R L 1912 s 3371]

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; exemption on account of poverty; other exemptions.—Each parent, guardian, or other person, in the State of Nevada, having control or charge of any child between the ages of eight and sixteen years shall be required to send such child to a public school during the time in which a public school shall be in session in the school district in which said child resides; but such attendance shall be excused:

1. When satisfactory evidence is presented to the board of trustees of the school district in which such child resides, that the child's bodily or mental condition is such as to prevent or render inadvisable attendance at school, or application to study. A certificate from any reputable physician that the child is not able to attend school, or that its attendance is inadvisable, must be taken as satisfactory evidence by any such board;
2. When the child has already completed the eight grades of the prescribed grammar-school course;
3. When satisfactory evidence is presented to the board of trustees that the child is being taught in a private school, or by a private tutor, or at home, by any person capable of teaching in such branches as are usually taught in the primary and grammar schools of this State;
4. When satisfactory evidence is presented to the board of trustees that the child's labor is necessary for its own or its parent's support;
5. When the deputy superintendent shall determine that the child's residence is located at such distance from the public school as to render attendance impracticable or unsafe. [R L 1912 s 3443]

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Penalty.—Any parent, guardian, or other person having control or charge of any child, to whom notice has been given of truancy, * * * and who fails to prevent the child's subsequent truancy within that school year, shall be deemed guilty of a misdemeanor, and upon conviction shall be liable, for the first offense, to a fine of not more than ten dollars or imprisonment for not more than five days, and for each subsequent offense he shall be liable to a fine of not less than ten or more than fifty dollars, or to imprisonment for not less than five nor more than twenty-five days, or to both such fine and imprisonment. [R L 1912 s 3445]

Enforcement: duties of board of trustees.—The board of trustees of any school district shall, on the complaint of any person, make a full and impartial investigation of all charges against parents or guardians or other persons having control or charge of any such child, for violation of any of the provisions of this act [s 3443–3451]. * * * [R L 1912 s 3446]

Enforcement: appointment, duties, and powers of attendance officers, etc.—The board of trustees of any school district may appoint and remove at pleasure an attendance officer and shall fix the compensation therefor, and shall prescribe the duties of said officer, not inconsistent with law, and make rules and regulations for the performance thereof. It shall be the duty of the attendance officer, or any peace officer, or any other school officer, to arrest during school hours, without a warrant, any child between the ages of eight and sixteen years, who has been reported to him by the teacher, the city superintendent, or other person connected with the schools, as an absentee from instruction upon which he is lawfully required to attend within the school district. Such arresting officer shall forthwith deliver the child so arrested to the teacher, parent, guardian, or other person having control or charge of said child. [R L 1912 s 3447]

Enforcement: powers of attendance officers; penalty for employment during school hours.—Any person who induces or attempts to induce any child to be absent unlawfully from school, or who knowingly employs or harbors while school is in session any child absent unlawfully from school, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than twenty-five days, or by both such fine and imprisonment. The attendance officer or any other school officer is hereby empowered to visit any place or establishment where minor children are employed to ascertain whether the provisions of this law [s 3443–3451] are duly complied with, and may demand from all employers of such children a list of children employed, with their names and ages. [R L 1912 s 3449]

Penalty for false statement of age, etc.—Any parent, guardian, or other person who makes a false statement concerning the age or school attendance of a child between the ages of eight and sixteen years who is under his control or charge, such false statement being made with intent to deceive under this act [s 3443–3451], shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by a fine of not more than fifty dollars or by imprisonment of not more than twenty-five days, or by both such fine and imprisonment. [R L 1912 s 3450]

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature, etc., by minors prohibited; gross misdemeanor.—Every person who—

* * * * * * *

4. Shall hire, use or employ, or having custody of his person shall permit any minor to sell, give away, or in any manner distribute any article hereinbefore mentioned [book, pamphlet, magazine, newspaper, etc., devoted to the publication, or largely made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of bloodshed, crime, etc.] * * * shall be guilty of a gross misdemeanor. [R L 1912 s 6461]

Penalty.—Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for not less than six months or more than one year, or by a fine of not less than five hundred dollars or more than one thousand dollars, or by both. [R L 1912 s 6284]

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INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors as barkeepers prohibited; penalty; exceptions.—Every person who * * * shall employ a minor as a barkeeper * * * is guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail not less than fifty days, nor more than six months, or by both such fine and imprisonment: *Provided*, That nothing in this section shall be deemed to apply to parents of such minors * * * or guardian[s] of their wards, or physicians. * * * [R L 1912 s 6506]

MINES AND SMELTERS

HOURS OF LABOR

Eight hours a day in underground mines, etc.; exceptions.—The period of employment of workingmen in all underground mines or workings shall be eight hours per day, except in cases of emergency where life or property is in imminent danger. [R L 1912 s 6554]

Eight hours a day in smelters; exceptions.—The period of employment of working men in smelters and in all other institutions for the reduction or refining of ores or metals shall be eight hours per day, except in cases of emergency where life or property is in imminent danger. [R L 1912 s 6555]

Penalty.—Any person who violates either of the two preceding sections of this act [s 6554–6556] or any person, corporation, employer or his or its agent, who hires, contracts with, or causes any person to work in an underground mine or other underground workings, or in a smelter or any other institution or place for the reduction or refining of ores or metals for a period of time longer than eight hours during one day unless life and property shall be in imminent danger, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or [by] imprisonment in the county jail not more than six months, or by both such fine and imprisonment. [R L 1912 s 6556]

Court decisions.—This act was held constitutional.—In re Boyce, 27 Nev. 299, 75 Pac. 1 (1904); Ex parte Kair, 28 Nev. 425, 82 Pac. 453 (1905).

Eight hours a day in open-pit and open-cut mines; exceptions.—The period of employment of workingmen in open-pit and open-cut mines shall not exceed eight hours in any twenty-four hours, except in cases of emergency where life or property is in imminent danger. [R L 1912 s 6557]

Penalty.—Any person who violates any provisions of the preceding section of this act [s 6557–6558], or any person, persons, corporation, employer, or his agent, who hires, contracts with, or causes any person to labor in any open-pit or open-cut mines, for a period of time longer than eight hours within any twenty-four hours, except in cases of emergency where life or property is in imminent danger, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or both. [R L 1912 s 6558]

PLASTER AND CEMENT MILLS

HOURS OF LABOR

Eight hours a day; exceptions.—The period of employment of all persons engaged or employed in any mill or other institution wherein plaster or cement is manufactured shall not exceed eight hours in any twenty-four hours except in cases of emergency where life is in imminent danger, or the product of such mill or institution liable to loss or damage by delay in treatment. [R L 1912 s 6559]

Penalty.—Any person who violates any provision of the preceding section, or any person, persons, corporation, employer or agent who hires, contracts with or causes any person to be engaged or employed in any mill or other institution where plaster or cement is manufactured, for a period of time longer than eight hours in any twenty-four hours except in cases where life is in imminent danger or the product of such mill or institution liable to loss or damage by delay in treatment, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. [R L 1912 s 6560]

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 18 in immoral exhibitions, etc., and sending messengers to immoral places, etc., prohibited; misdemeanor.—Every person who shall employ, or cause to be employed, exhibit or have in his custody for exhibition or employment any minor actually or apparently under the age of eighteen years; and every parent, relative, guardian, employer or other person having the care, custody, or control of any such minor, who shall in any way procure or consent to the employment of such minor—

1. In begging, receiving alms, or in any mendicant occupation; or,
2. In any indecent or immoral exhibition or practice; or,
3. In any practice or exhibition dangerous or injurious to life, limb, health or morals; or,
4. As a messenger for delivering letters, telegrams, packages or bundles, to any house of prostitution or assignation;

Shall be guilty of a misdemeanor.[1] [R L 1912 s 6823]

FACTORIES, MINES, SHOPS, ETC.

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Permits required for boys under 14 and girls under 16; farm and domestic labor excepted; judge of district court to issue permit; misdemeanor for employer, parent, etc.—Every person who shall employ, and every parent, guardian, or other person having the care, custody or control of such child, who shall permit to be employed, by another, any male child under the age of fourteen years or any female child under the age of sixteen years at any labor whatever, in or in connection with any store, shop, factory, mine or any inside employment not connected with farm or house work, without the written permit thereto of a judge of the district court of the county wherein such child may live, shall be guilty of a misdemeanor.[1] [R L 1912 s 6824]

NOTE.—[For prohibition of employment in mines under 16 see section 2, chapter 232, Acts of 1913]

ALL OCCUPATIONS

PENALTIES

Misdemeanor.—Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for not more than six months, or by a fine of not more than five hundred dollars, or by both. [R L 1912 s 6285]

MINIMUM AGE

Employment under 14 prohibited during school hours.—It shall be unlawful for any person, firm or corporation to employ any child under fourteen (14) years of age, in any business or service whatever during the hours in which the public schools of the district, in which the child resides, are in session. [1913 C 232 s 1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; dangerous processes, mines, smelters, places where malt or alcoholic liquors are manufactured, etc.—No child under the age of sixteen (16) years shall be employed, permitted or suffered to work in any capacity in, about, or in connection with the preparing of any composition in which dangerous or poisonous acids are used, manufacture of paints, colors or white lead; dipping, drying or packing matches; manufacture of goods for immoral purposes; nor in, about, or in connection with any mine, coal breaker, quarry, smelter, ore reduction works, laundry, tobacco warehouses, cigar factory, or other factory where tobacco is manufactured or prepared, distillery, brewery, or any other establishment where malt or

[1] For penalty for misdemeanor, see page 7 (Revised Laws 1912 section 6285).

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alcoholic liquors are manufactured, packed, wrapped or bottled; nor in any other employment declared by the State board of health to be dangerous to lives or limbs, or injurious to the health or morals of children under the age of sixteen (16). [1913 C 232 s 2]

Employment under 16 may be prohibited by State board of health in other occupations.—The State board of health may from time to time determine whether or not any particular trade, process of manufacture, or occupation, or any particular method of carrying on such trade, process of manufacture or occupation is sufficiently dangerous to the lives or limbs, or injurious to the health or morals of minors under sixteen (16) years of age employed therein to justify their exclusion therefrom, and may prohibit their employment therein. [1913 C 232 s 3]

ALL OCCUPATIONS

AGE EVIDENCE

Evidence of age may be required for children apparently under 14 employed during school hours.—The State superintendent, or other authorized inspector or school attendance officer, shall make demand on an employer in or about whose place or establishment a child apparently under the age of fourteen (14) years is employed, or permitted or suffered to work, during the hours in which public schools of the district are in session; that such employer shall either furnish him within ten (10) days satisfactory evidence that such child is in fact over fourteen (14) years of age, or shall cease to employ, or permit or suffer such child to work. [1913 C 232 s 4]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; oiling machinery in motion, dangerous processes, smelters, etc.—No child under the age of sixteen (16) years shall be employed, permitted or suffered to work in, about or in connection with glass furnaces, smelters, or ore reduction works, in the outside erection and repair of electric wires, in the running or management of elevators, lifts, or hoisting machines, in oiling hazardous or dangerous machinery in motion, at switch tending, gate tending, track repairing [or] as brakeman, fireman, engineer, motorman, conductor upon any railroads [sic] in or about establishments where nitroglycerin, dynamite, daulin [dualin] guncotton, gunpowder or other high or dangerous explosives are manufactured, compounded or stored; nor in any other employment declared by the State board of health to be dangerous to the lives or limbs, or injurious to the health or morals of children under the age of sixteen (16) years. [1913 C 232 s 5]

Employment under 16 may be prohibited by State board of health in other occupations.—The State board of health may from time to time determine whether or not any particular trade, process of manufacture, or occupation, or any particular method of carrying on such trade, process of manufacture or occupation is sufficiently injurious to the lives or limbs, or injurious to the health or morals of the minor[s] under the age of sixteen (16) years, employed therein to justify their exclusion therefrom, and may prohibit their employment therein. [1913 C 232 s 6]

MESSENGERS IN CITIES AND TOWNS

HOURS OF LABOR

Night work prohibited under 18.—In incorporated cities and towns no person under the age of eighteen (18) years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages before 5 o'clock in the morning, or after 10 o'clock in the evening of any day. [1913 C 232 s 7]

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ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, for boys under 16 and girls under 18; farm and domestic work excepted; presence of child to be proof of employment.—No boy under the age of sixteen (16) years and no girl under the age of eighteen (18) years shall be employed, permitted or suffered to work at any gainful occupation, other than domestic service or work on a farm more than forty-eight hours in any one week, nor more than eight hours in any one day. The presence of a child in any establishment during working hours shall be prima facie evidence of its employment therein. [1913 C 232 s 8]

REGULATED OCCUPATIONS

PENALTIES

Illegal employment.—Whoever employs any child, and whoever having under his control as parent, guardian, or otherwise, any child, permits or suffers any child to be employed or to work in violation of any of the provisions of this act, shall for such offense be fined not less than five ($5) dollars nor more than two hundred ($200) dollars or to [sic] be imprisoned for not less than ten (10) days nor more than thirty (30) days, or both in the discretion of the court. [1913 C 232 s 9]

Employment after notification.—Whoever continues to employ any child in violation of any of the provisions of this act, after being notified thereof by a school attendance officer, or other authorized officer, shall for every day thereafter that such employment continues be fined not less than five ($5) dollars nor more than twenty ($20) dollars. [1913 C 232 s 10]

RAILROADS[1]

HOURS OF LABOR

Application of act; definitions.—The provisions of this act shall apply to any common carrier or carriers, their officers, agents and employees, engaged in the transportation of passengers or property by railroad in the State of Nevada. The term "railroad," as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract agreement, or lease and the term "employees," as used in this act shall be held to mean persons actually engaged in or connected with the movement of any trains. [1913 C 283 s 1]

Period of rest after 16 hours' work; 8 hours a day for telegraph operators, etc.; exceptions.—It shall be unlawful for any common carrier, its officers, or agents, subject to this act, to require or permit any employee subject to this act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no employee who by the use of the telegraph or telephone or other electrical device, dispatches, reports, transmits, receives or delivers, [sic] orders or who from towers, offices, places and stations operate[s] signals or switches or similar mechanical devices controlling, pertaining to, or affecting the movement of trains of more than two cars shall be required or permitted to be or remain on duty in any twenty-four-hour period for a longer period than eight hours, which period of eight hours shall be wholly within the limits of a continuous shift and upon the completion of which period such employee shall not be required or permitted to again go on duty until the expiration of sixteen hours. This proviso shall not apply to employees who in case of emergency use the telephone to obtain orders or information governing the movement of trains: *Provided further*, In case of emergency, when [sic] the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period of not exceeding three days in any week. [1913 C 283 s 2]

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[1] See court decision on page 7 (New York).

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Penalty; application of act.—Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than two hundred and fifty dollars ($250) and not more than five hundred dollars ($500) for each and every violation of this act, in a suit or suits to be brought by the district attorney in the district courts of the State of Nevada having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorneys to bring such suits upon satisfactory information being filed with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the State railroad commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers and agents: *Provided*, That the provisions of this act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officers or agent in charge of such employee at the time said employee left terminal and which could not have been foreseen: *Provided further*, That the provision[s] of this act shall not apply to the crews of wrecking or relief trains: *Provided further*, That the provisions of this act shall not apply to railroads not maintaining a regular night train schedule. [1913 C 283 s 3]

Enforcement: duties of State railroad commission.—It shall be the duty of the State railroad commission to execute and enforce the provisions of this act, and all powers granted by law to the State railroad commission are hereby extended to it in the execution of this act. [1913 C 283 s 4]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of labor commissioner.—Said [labor] commissioner shall inform himself of all laws of the State for the protection of life and limb in any of the industries in this State, all laws regulating the hours of labor, the employment of minors, and all other laws enacted for the safety of the public and for the protection of employees; and it shall be the duty of said labor commissioner to enforce all such laws in the State, and whenever after due inquiry he shall be satisfied that any such law has been violated he shall present the facts to the district attorney of any county in which such violation occurred, and it shall be the duty of such district attorney to prosecute the same. [1915 C 203 s 4]

Powers of labor commissioner; penalty for failure to testify.—Said labor commissioner shall have the power to examine witnesses, administer oaths, and take testimony in all matters relating to the duties and requirements of this act, and such testimony shall be taken in some suitable place in the vicinity to which the testimony is applicable. Said labor commissioner may compel the attendance of witnesses and may issue subpœnas. * * * Any person duly subpœnaed under the provisions of this section, who shall willfully refuse or neglect to testify at the time and place named in the subpœna, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment. [1915 C 203 s 8]

Powers of labor commissioner; penalty for hindering commissioner.—Said labor commissioner shall have the power to enter any store, foundry, mill, office, workshop, mine or public or private works at any reasonable time to examine safeguards and methods of protection from danger to employees; the sanitary conditions of the buildings and surroundings and make a record thereof; and any owner, corporation, occupant, or officer who shall refuse such entry to said labor commissioner, his officers or agents, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment. [1915 C 203 s 9]

Prosecution; duties of district attorneys.—It shall be the duty of the district attorneys of the several counties, upon the complaint of the labor commissioner, to prosecute all violations of law which may be reported to said district attorney by the labor commissioner. [1915 C 203 s 13]

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NEW HAMPSHIRE

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

ENFORCEMENT

Duties and powers of truant officers in enforcing child labor laws.—Truant officers shall, if required by the school board, enforce the laws prohibiting the employment of children in manufacturing, mechanical, or mercantile establishments who have not attended school the prescribed time; and for this purpose, they may, when so authorized and required by vote of the school board, visit the manufacturing, mechanical, and mercantile establishments in their respective cities and towns, and ascertain whether any children under the age of sixteen are employed therein contrary to the provisions of law, and they shall report any cases of such illegal employment to the school board; and the truant officers, when authorized as aforesaid, may demand the names of all children under sixteen years of age employed in such manufacturing, mechanical, and mercantile establishments, and may require that the certificates and lists of such children provided for by law shall be produced for their inspection. Truant officers shall inquire into the employment, otherwise than in such manufacturing, mechanical, and mercantile establishments, of children under the age of sixteen years, during the hours when the public schools are in session, and may require that the certificates of all children under sixteen shall be produced for their inspection; and any such officer may bring a prosecution against a person or corporation employing any such child, otherwise than as aforesaid, during the hours when the public schools are in session, contrary to the provisions of law. A refusal or failure on the part of an employer of children under sixteen years of age to produce the certificate required by law, when requested by a truant officer, shall be prima facie evidence of the illegal employment of the child whose certificate is not produced. Truant officers shall have authority without a warrant to take and place in school any children found employed contrary to the laws relating to the employment of children, or violating the laws relating to the compulsory attendance at school of children between the ages of six and sixteen years.[1] [Public Statutes 1901 Chapter 92 section 18]

[1] The compulsory school age is from 8 to 16 according to section 14 of chapter 93 of the Public Statutes of 1901 as amended by chapter 221 of the Acts of 1913.

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14; from 14 to 16 if elementary course of study has not been completed; exceptions; penalty.—Every person having the custody and control of a child between the ages of eight and fourteen years, or of a child under the age of sixteen years, unless such child shall have completed the course of study prescribed for the elementary schools, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public schools were in session in the common English branches, or, having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district: *Provided however*, That any person having the custody and control of a child may apply to the State superintendent of public instruction for relief whenever such person deems it to be against the moral or physical welfare of such child to attend the particular school required by law, and thereupon, after notice to the school board of the district in which such child is required to attend school, the State superintendent of public instruction may order such child to attend another school in the same district if such school is available; may order such child to attend school in another district, in which case the district in which such child resides shall pay to the district in which such child attends school tuition not to exceed the average cost per child of instruction for the regularly employed teachers and the cost of textbooks, supplies and apparatus for such time as such attendance shall continue; may permit such child to withdraw from school attendance for such time as he may deem necessary or proper; or make such other order or orders with respect to the attendance of such child at school as in his judgment the circumstances require. [P S 1901 C 93 s 14 as amended by 1913 C 221]

Enforcement: duties and powers of superintendent of public instruction in enforcing attendance and child labor laws.—The State superintendent of public instruction shall have authority to enforce the laws relating to attendance at school and the employment of minors, and, for this purpose, he and any deputy appointed by him shall be vested with the powers given by law to truant officers when authorized by school boards to enforce the laws relating to attendance at school and the employment of children. * * * [P S 1901 C 93 s 15 as amended by 1901 C 61]

Enforcement: duties of school board.—It shall be the duty of the school board to prosecute offenders for violations of the provisions of this chapter [s 1–20]. If they neglect to perform this duty they shall forfeit twenty dollars for each neglect, for the use of the district, to be recovered in the name of the district by the selectmen of the town. * * * [P S 1901 C 93 s 18]

Enforcement: appointment of truant officers.—School boards shall appoint truant officers for their districts, and fix their compensation at a reasonable rate, which compensation shall be paid by the towns. [P S 1901 C 92 s 15]

Enforcement: duties of truant officers.—Truant officers shall, under the direction of the school board, enforce the laws and regulations relating to truants and children between the ages of eight and sixteen years not attending school and without any regular and lawful occupation, and the laws relating to the attendance at school of children between the ages of eight and sixteen years. [P S 1901 C 92 s 17]

Enforcement: by-laws concerning habitual truants from 6 to 16.—Districts may make by-laws, not repugnant to law, concerning habitual truants and children between the ages of six [1] and sixteen years not attending school and not having a regular and lawful occupation, and to compel the attendance of such children at school, and may annex penalties for the breach thereof not exceeding ten dollars for each offense. [P S 1901 C 93 s 6]

Penalty.—Any offender against such by-laws, upon conviction, may be sentenced to pay a fine and to be committed to the industrial school until it is paid or he is otherwise discharged, or he may be sentenced to the industrial school for a term not exceeding one year. [P S 1901 C 93 s 7]

[1] The compulsory school age is from 8 to 16 according to section 14 of chapter 93 of the Public Statutes of 1901 as amended by chapter 221 of the Acts of 1913.

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SCHOOL CENSUS

Enumeration of children from 5 to 16.—Truant officers or agents appointed by school boards of cities and towns shall annually, in the month of September, make an enumeration of the children of each sex, between the ages of five and sixteen years, in their town or city, giving such items in regard to each child as may be required by the school board or the State superintendent of public instruction, and shall make a report to the school board thereof within fifteen days after the completion. [P S 1901 C 92 p 301 (1895 C 46 s 1) as amended by 1905 C 91]

ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

MINIMUM AGE

Employment under 14 prohibited during school hours; employment under 12 prohibited in manufacturing establishments.—No child under the age of twelve years shall be employed in any manufacturing establishment. No child under the age of fourteen years shall be employed in any manufacturing establishment, nor in any mechanical, mercantile, or other employment during the time in which the public schools are in session in the district in which he resides. [P S 1901 C 93 s 10 as amended by 1901 C 61]

AGE AND SCHOOL CERTIFICATES

Certificates required from 14 to 16 during school hours; school authorities to issue certificates; penalty for false statements.—No child under the age of sixteen years shall be employed in any manufacturing establishment, or in any mechanical, mercantile, or other employment, during the time in which the public schools are in session in the district in which he resides, without first presenting a statement of his age from his parent or guardian, sworn to before the superintendent of schools or, if there is no superintendent of schools, by some person authorized by the school board of the district in which such child is employed. And no child under the age of sixteen years shall be employed as aforesaid during the time in which the public schools are in session in the district in which he resides without first presenting a certificate from the superintendent of schools or, if there is no superintendent of schools, some person authorized by the school board, that such child can read at sight and write legibly simple sentences in the English language. And any superintendent of schools or person authorized by the school board who certifies falsely as to matters prescribed by this section shall be fined not less than twenty nor more than fifty dollars for each offense. [P S 1901 C 93 s 11 as amended by 1901 C 61]

COMPULSORY EVENING SCHOOL ATTENDANCE

Illiterate minors if employed and not attending day school; exceptions; penalty; parent, etc.—No minor shall be employed in any manufacturing establishment, or in any mechanical, mercantile, or other employment, who can not read at sight and write legibly simple sentences in the English language, while a free public evening school is maintained in the district in which he resides, unless he is a regular attendant at such evening school or at a day school: *Provided*, That upon presentation by such minor of a certificate signed by a regular practicing physician, and satisfactory to the superintendent of schools, or, where there is no superintendent of schools, the school board, showing that the physical condition of such minor would render such attendance in addition to daily labor prejudicial to his health, said superintendent of schools or school board shall issue a permit authorizing the employment of such minor for such period as said superintendent of schools or school board may determine. Said superintendent of schools or school board, or teachers acting under authority thereof, may excuse any absence from such evening school arising from justifiable cause. Any parent, guardian, or custodian who permits to be employed any minor under his control in violation of the provisions of this section shall forfeit not more than twenty dollars for the use of the evening schools of such town or city. [P S 1901 C 93 s 12 as amended by 1901 C 61]

PENALTIES

Violation of three preceding sections.—If any owner, agent, superintendent, or overseer of a manufacturing, mechanical, or mercantile establishment, or any other person, shall employ any child in violation of the provisions of either of the three preceding sections, he shall be fined not exceeding fifty dollars for each offense, for the use of the district. [P S 1901 C 93 s 13 as amended by 1901 C 61]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person, firm, or corporation employing females in any manufacturing, mechanical, or mercantile establishment in this State, shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. [P S 1901 C 180 following s 16 p 606 (1895 C 16 s 1)]

Penalty.—Any person, firm, or corporation violating any of the provisions of this act [the preceding section] shall be punished by a fine of not less than ten dollars nor more than thirty dollars for each offense. [P S 1901 C 180 following s 16 p 606 (1895 C 16 s 2)]

AGE CERTIFICATES

Certificate to be evidence of age.—A certificate of the age of a minor, made by him and by his parents or guardian and presented to the employer at the time the minor is employed, shall be conclusive evidence of his age upon a prosecution for the violation of the provisions of section fourteen.[1] [P S 1901 C 180 s 17]

Penalty for false certificate.—If any person shall make and utter a false certificate in regard to the age of a minor, with intent to evade the provisions of this chapter [s 1–24], he shall be fined twenty-five dollars, or be imprisoned thirty days, or both, for each offense. [P S 1901 C 180 s 18]

PUBLIC EXHIBITIONS AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 14 in rope walking, dancing, acrobatic performances, etc., prohibited; exceptions; penalty for parent, employer, etc.—If any person shall employ or exhibit a child under the age of fourteen years in dancing, playing on musical instruments, singing, walking on a wire or rope, or riding or performing as a gymnast, contortionist, or acrobat in any circus or theatrical exhibition, or in any public place whatsoever, or shall cause, procure, or encourage any such child to engage therein, or if any person having the custody or control of any such child shall permit him to be so employed, such person shall be fined not exceeding one hundred dollars; but nothing in this section shall be construed to prevent the education of children in vocal and instrumental music, or their employment as musicians in any church, chapel, or school, or school exhibition, or to prevent their taking part in any concert or musical exhibition. [P S 1901 C 265 s 3]

Distribution of obscene literature by minors prohibited; employer.—No person shall in any manner hire, employ, or use any minor to sell, or give away, or in any manner to distribute any such literature, picture, or advertisement [devoted to the publication or illustration of stories or accounts of bloodshed, lust, or crime, or principally made up of police reports and criminal news]. [P S 1901 C 265 s 7]

Distribution of obscene literature by minors prohibited; parent, etc.—No person having the care or control of a minor child shall permit such child to sell or give away any such reading matter or any such advertisement. [P S 1901 C 265 s 8]

Penalty.—If any person shall violate any of the provisions of * * * sections [7 and 8], he shall be fined not more than one hundred dollars, or be imprisoned not more than six months, or both. [P S 1901 C 265 s 9]

INTOXICATING LIQUORS

MINIMUM AGE

Enforcement: duties and powers of excise commissioners, etc.—Said board [of excise commissioners], with the approval of the governor and council, shall appoint one or more special agents and fix their compensation * * *. Said special agents shall hold office for one year following their appointment, and may be removed for cause by said board, with the approval of the governor and council, after due notice and hearing thereon. It shall be the duty of said special agents, under the direction of

[1] Section 14, which has been omitted as it is apparently superseded by section 1, chapter 156, Acts of 1913, applies to manufacturing and mechanical establishments only.

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the board, to investigate all matters relating to the collection of * * * penalties under chapter 95, Laws of 1903, and amendments thereto, and in relation to compliance with law by persons holding licenses under the terms of said chapter and its amendments. Any member of the board or any special agent may enter any place where liquor is sold, at any time, and may examine any license certificate issued or purporting to have been issued under the terms of said chapter. He may investigate any other matters in connection with the sale of liquor and shall make complaints for violations of the provisions of said chapter. Said special agents shall make all their complaints to the attorney-general, who shall investigate or authorize investigation of the same, and, if satisfied that they are well founded, shall bring such complaints before the board of excise commissioners for hearing and shall prosecute or order prosecution of the same before the board. Said special agents in the performance of their duties shall have the powers of constables in criminal cases within the limits of the State * * *. [1915 C 110 s 3]

Penalty; revocation of license.—At any time after a license [to sell intoxicating liquors] has been issued to any person, the same may be revoked and canceled by * * * [the board of excise commissioners],[1] or said board may suspend said license for the first violation in their discretion for such period of time as they may deem proper, if any material statement in the application of the holder of the same was false, or if any provision of this act is violated at the place designated in the license by the holder of the same, or by his agents, servants, or any person whomsoever in charge of said premises: *Provided*,[2] That the testimony makes it manifest that the violation was unintentional and accidental. But before any license is revoked or canceled or suspended, the holder shall be entitled to a hearing by said board, and to five days' previous notice thereof in writing. No action shall be taken on the bond filed in connection with any license, by reason of any order of said board suspending said license under the provisions of this section. [1903 C 95 s 14 as amended by 1913 C 129]

Employment of boys under 21 and girls of any age to sell liquor prohibited; exceptions.—It shall not be lawful—

* * * * * * *

2. To permit any girl or woman * * * to sell or serve any liquor on the premises; or to permit any male person under the age of twenty-one years to sell or serve any liquor on the premises, except to bona fide registered guests in their rooms and in dining rooms with meals under licenses of the first class [issued only to innholders]. * * * [1903 C 95 s 17 as amended by 1905 C 49 s 11]

Penalty.—Whoever, in a city or town wherein the provisions of this act are in force, shall sell, or keep for sale, liquor contrary to the provisions of this act * * *, shall be punished by a fine of two hundred dollars and by imprisonment for not less than one month or more than two years. [1903 C 95 s 33 as amended by 1905 C 49 s 18]

MERCANTILE ESTABLISHMENTS, FACTORIES, WORKSHOPS, ETC.

MINIMUM AGE

Employment under 14 prohibited in these establishments and in tenement-house manufactories, messenger service, etc.—No child under the age of fourteen shall be employed or permitted or suffered to work, in, about, or in connection with, any mill, factory, workshop, quarry, mercantile establishment, tenement house manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transmission of merchandise or messages. [1911 C 162 s 1 as amended by 1913 C 224]

Ability to read and write English required under 16 for employment during school hours; exceptions.—No child under the age of sixteen shall be employed, or permitted or suffered to work, in any establishment named in section 1 during the time in which the public schools are in session in the district in which he resides, unless he can read understandingly and write legibly simple sentences in the English language: *Provided however*, That if any child shall have reached the age of fourteen and shall have attended an English-taught school regularly for not less than three years and shall then be deemed by the superintendent of schools, or other person authorized to grant employment certificates, to be mentally incapable of learning to read and write legibly the English language in the regular schools, the case may be referred to the State superintendent of public instruction, who, after investigation either by himself or by his agent, may issue a permit authorizing the employment of such child even though

[1] Formerly the board of license commissioners.
[2] This proviso was apparently inserted by mistake.

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such child may be unable to read understandingly and write legibly simple sentences in the English language. [1911 C 162 s 2]

ALL OCCUPATIONS

HEALTH AND SANITATION

Duties and powers of State board of health.—Whenever requested by the superintendent of public instruction, the State board of health shall cause to be made an inspection of any factory or other place in which children under the age of sixteen are employed, and may require the discharge of any child or children found employed therein who by reason of physical condition, of unsanitary conditions of employment, or of development below the normal development of children of that age, can not in their judgment continue to be employed without undue risk to health. [1911 C 162 s 3]

STREET TRADES

MINIMUM AGE

Employment of boys under 10 and girls under 16 in selling newspapers, etc., and of any child under 10 as a bootblack, prohibited.—No boy under ten and no girl under sixteen years of age shall sell or expose or offer for sale newspapers, magazines, periodicals or other merchandise in any street or public place. No child shall work as a bootblack in any street or public place unless he is over ten years of age. [1911 C 162 s 4]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 18.—No person under the age of eighteen years shall be employed or permitted to work as a messenger for a telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [1911 C 162 s 5]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eleven hours a day, 58 a week, and night work prohibited, for boys under 16 and girls under 18; farm and domestic work excepted; other exceptions.—No boy under the age of sixteen years, and no girl under the age of eighteen years, shall be employed, or permitted or suffered to work, at any gainful occupation, other than domestic service or work on a farm, more than fifty-eight hours in any one week, nor more than eleven hours in any one day; nor before the hour of half-past six o'clock in the morning, nor after the hour of seven o'clock in the evening,—except that minors sixteen years of age or over may work in retail stores and telephone exchanges until ten o'clock in the evening, and boys fourteen years or over may deliver newspaper routes after five o'clock in the morning, and boys twelve years old or over may deliver newspaper routes between four and eight o'clock in the evening. [1911 C 162 s 6 as amended by 1913 C 224]

MERCANTILE ESTABLISHMENTS, FACTORIES, WORKSHOPS, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required under 16.—No child under sixteen years of age shall be employed, or permitted or suffered to work in, about, or in connection with, any place or establishment named in section 1, unless the person, firm, or corporation employing such child, procures and keeps on file, and accessible to any truant officer, or other authorized inspector, an employment certificate as hereinafter prescribed. [1911 C 162 s 7]

Certificates to be returned to inspector.—On the termination of the employment of a child whose employment certificate is on file, such certificate shall be kept by the employer and surrendered to any authorized inspector on demand. [1911 C 162 s 8]

School authorities to issue certificates; exceptions.—An employment certificate shall be issued only by the superintendent of schools, or where there is no superintendent,

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or in the absence of the superintendent by a person authorized by the school board: *Provided however*, That no person authorized as aforesaid shall have authority to issue such certificate for any child then in or about to enter such person's own employment, or, in [sic] the employment of a firm or corporation of which he is a member, officer, or employee; in the city of Manchester the provisions of chapter 205 of the Session Laws of 1905 shall remain in force, but the person appointed under such provisions shall be subject to the terms of this act.[1] [1911 C 162 s 9 as amended by 1915 C 61]

Age, school, and health records required, school record and ability to read and write English not required for vacation certificates.—The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers duly executed: (1) The school record of such child properly filled out and signed, as provided in this act. (2) A passport or duly attested transcript of the certificate of birth or baptism or public record, showing the date and place of birth of such child. (3) A certificate from a medical officer of the local board of health, or from a physician designated by the school board, certifying that the child has reached the normal development of a child of his age, and that he is in sufficiently sound health and physically able to perform the work which he intends to do: *Provided however*, That a certificate which shall be valid only during a vacation period of the school year may be issued without requiring any certificate of school record; nor shall an ability to read understandingly and write legibly simple sentences in the English language be a prerequisite to the issuance of such certificate. Said certificate shall plainly state on the face thereof the beginning and ending of the period during which it shall be valid, such period in no case to exceed three months; but in all respects other than the above such certificates shall comply with the provisions of this chapter. [1911 C 162 s 10 as amended by 1915 C 61]

Method of issuing.—No employment certificate shall be issued until the child in question has personally appeared before and been examined by the person issuing the certificate. [1911 C 162 s 11]

Method of issuing and contents of certificate.—Every such employment certificate shall state the name, sex, and date and place of birth, of the child, shall describe the color of hair and eyes, the height and weight and any distinguishing facial marks of such child; that all papers required by the preceding sections have been duly examined, approved and filed; that the child named in the certificate has appeared before the person signing the same and been examined; and that such child has been found to be able to read understandingly and write legibly simple sentences in the English language. Every such certificate shall be signed, in the presence of the person issuing the same, by the child in whose name it is issued, and shall show the date of its issue. [1911 C 162 s 12]

School records; educational requirements.—The school record required by this act shall be signed by the principal or chief executive officer of the school which the child has attended, and shall be furnished on demand to a child entitled thereto. Such record shall certify that the child has regularly attended the public schools, or private schools lawfully approved as such, for not less than three hundred half-days, as shown by the school register, during the year previous to his arriving at the age of fourteen, or during the year previous to applying for such school record, and that he is able to read understandingly and write legibly simple sentences in the English language. Such school record shall also give the date of birth and residence of the child as shown on the records of the school and the name of his parent, guardian or custodian. [1911 C 162 s 13]

Records of issuing office.—The superintendent of schools or other person authorized to issue employment certificates shall keep a record of the same in a book. Such record shall contain a list of the names of all children to whom certificates are granted, numbered consecutively, together with the date of issue and the signature of the officer issuing the certificate, and such books shall be carefully preserved. [1911 C 162 s 14]

Blank certificates, etc.—All blank forms for records used in the enforcement and administration of this act shall be uniform throughout the State, shall be prescribed by the superintendent of public instruction, and shall be furnished by the State, and methods of keeping the same shall be approved by him as being within the contemplation of this act. [1911 C 162 s 15]

[1] Chapter 205 of the Acts of 1905 provides that "the duties devolving upon the superintendent of schools in relation to the employment of minors in manufacturing establishments, or in any mechanical, mercantile, or other employment, * * * may in the city of Manchester be performed and exercised by some person appointed by the superintendent of schools of said city of Manchester, with the concurrence of the school board of said city."

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REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Duties and powers of truant officers.—The truant officer of each school district shall visit, inspect, and cause to be enforced the provisions of this act in his district, and for this purpose shall have power to serve warrants. [1911 C 162 s 16]

Duties and powers of superintendent of public instruction and State inspectors.—The superintendent of public instruction shall appoint not exceeding three State inspectors, who shall be paid their necessary expenses and such compensation as the governor and council shall determine, not exceeding $1,200 per annum each, and who shall devote their whole time to their work. The State inspectors, under the direction of the superintendent of public instruction, shall inspect all factories and other places of employment within the contemplation of this act and all records and methods of enforcement. They shall have the same power as to enforcement and the serving of warrants as the several truant officers. The superintendent of public instruction, with the approval of the attorney general, may employ counsel, and provide legal assistance wherever the same may, in his opinion, be necessary for the enforcement of the provisions of this act * * *. [1911 C 162 s 17]

Appointment and removal of truant officers.—The superintendent of public instruction shall frequently report to the chairman of the several school boards the relative efficiency of the several truant officers. The governor with the advice and consent of the council may require school boards to appoint additional truant officers if in their judgment such additional officers are necessary. The governor with the advice and consent of the council may require the school board of any school district to remove any truant officer found by them to be incompetent, and to appoint a competent successor; and upon the failure or neglect of the school board to do so, they may appoint such truant officer and fix his compensation and such compensation shall be paid by the district. [1911 C 162 s 18]

Proof of age required for child apparently under 16.—An inspector or truant officer shall make demand upon any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed, or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish him within ten days satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ, or permit, or suffer such child to work, in such place or establishment. The inspector shall require from such employer the same evidence of age of such child as is required in the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. [1911 C 162 s 19]

Penalty for illegal employment; employer, parent, etc.—Whoever employs any child, and whoever, having under his control as parent, guardian or otherwise, any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act, shall be fined not less than five nor more than two hundred dollars, or be imprisoned for not less than ten nor more than thirty days, or both, in the discretion of the court. [1911 C 162 s 20]

Penalty for employment after notification.—Whoever continues to employ any child in violation of any of the provisions of this act, after being notified thereof by an inspector, or truant officer, shall for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. [1911 C 162 s 21]

Penalty for false statements.—Any person authorized to sign any certificate or paper called for by this act, who certifies to any materially false statement therein, shall be fined not less than five nor more than two hundred dollars, or be imprisoned for not less than five nor more than thirty days, or both, in the discretion of the court. [1911 C 162 s 22]

Failure to produce certificates to be evidence of illegal employment.—Refusal by an employer to produce any employment certificate required by this act shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced. [1911 C 162 s 23]

Penalty for school authorities, etc.—Any superintendent of schools or other person issuing employment certificates, who fails to comply with the provisions of this act shall be fined not less than five nor more than twenty-five dollars. [1911 C 162 s 24]

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

ENFORCEMENT

Duties and powers of the labor commissioner in enforcing labor laws, etc.—* * * It shall be the duty of the [labor] commissioner, without notice, at such times as he shall deem it necessary, to visit the manufacturing, mechanical and mercantile establishments in the State, so far as practicable, for the purpose of ascertaining whether the laws with reference to the employment of help are complied with, and for the further purpose of ascertaining if reasonable sanitary and hygienic conditions are maintained calculated to promote the health and welfare of the working people. * * * Whenever he shall deem it necessary, the commissioner shall prosecute any offenses against the laws regulating the employment of help. [1911 C 198 s 2]

HOURS OF LABOR

Ten and one-quarter hours a day, 55 a week, for boys under 18 and girls of any age; 8 hours a day, 48 a week, for girls employed on night work; two nights a week excepted; time for meals required.—No female and no minor under eighteen years of age shall be employed or be permitted to work in any manufacturing, mechanical, or mercantile establishment, laundry or restaurant, or confectionery store, or by any express or transportation company, in this State, more than ten and one-quarter hours during any one day nor more than fifty-five hours in any one week. The hours may be so arranged as to permit the employment of females at any time, but they shall not work more than ten and one-quarter hours during the twenty-four hours of any one day, nor more than fifty-five hours during one week. If, however, any part of a female's daily employment is performed between the hours of eight o'clock p. m. and six o'clock a. m. of the following day, all the employment shall be considered night work, and no such female so employed at night work shall be employed or permitted to work thereat more than eight hours in any twenty-four hours, nor more than forty-eight hours during the week. If any such female is employed not more than two nights in the week (after eight o'clock as herein provided), then such female may be permitted to work fifty-five hours in any such week: *Provided*, That at least one hour for dinner be allowed each female during her working period, but no part of such hour shall be considered as a part of the permitted period of daily employment: *And provided further*, That in mercantile establishments one hour and one-quarter at least for dinner and, on days when she shall be employed after eight o'clock p. m., one hour and one-quarter at least for supper be so allowed each female. [1913 C 156 s 1 as amended by 1915 C 164 s 1]

Mercantile establishments exempted 7 days preceding Christmas; other exemptions.—The provisions of * * * [1913 C 156 s 1 as amended by 1915 C 164 s 1], shall not apply to the mercantile establishments of the State for the period of seven days immediately preceding Christmas day in each year; but the total number of hours of labor for any regular female employee or minor under eighteen years of age shall not exceed fifty-five hours per week for the full year. In the case of time lost through accident in any manufacturing establishment, sufficient time outside the regular daily working hours may be worked by any female or minor under eighteen years of age to make up the time lost through such accident: *Provided*, The hours of actual labor shall not exceed ten and one-fourth hours in any one day. [1915 C 164 s 2]

Hours to be posted.—Every employer shall post in a conspicuous place in every room, where such females are employed, a printed notice stating the hours of commencing and stopping such work, the time allowed for dinner or other meals, and the maximum number of hours any female employee is permitted to work in any one day. [1913 C 156 s 2]

Evidence of violation.—The employment of any female in any such place or establishment, as defined in subsection 1, of this section [s 1], at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be prima facie evidence of a violation of this act. [1913 C 156 s 3]

Penalty.—Any person or corporation violating any provision of this act shall be deemed guilty of a misdemeanor, and upon a conviction thereof shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars. [1913 C 156 s 4]

NOTE.—[Sections 14, 15, and 16, chapter 180 of the Public Statutes of 1901 are apparently superseded by chapter 156 of the Acts of 1913 quoted above.]

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NEW JERSEY

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 18 in singing, rope walking, dancing, etc., prohibited; misdemeanor; parent, employer, etc.—Any person who, whether as parent, relative, guardian, employer, or otherwise, having in his or her custody or control, lawfully or unlawfully, any minor child under the age of eighteen years, who shall sell, apprentice, give way [away], let out, employ, hire or otherwise dispose of such minor or minors for the purpose of begging, singing and playing on a musical instruments [instrument], rope-walking, dancing, or for any mendicant or wandering business whatsoever, or in any immoral conduct or occupation in the streets, roads and other highways or public places of this State, and any person who shall take, receive, hire, employ, use or have in custody any such minor or minors, under the age of eighteen years, and use or employ him, her or them in any such purpose, or any of them, for any mendicant or immoral business whatsoever, either in public or private places within this State, shall be guilty of a misdemeanor, and punished accordingly * * *. [Compiled Statutes 1910 volume 2 Crimes section 56 page 1763]

NOTE.—[For prohibition of employment under 15 in rope walking, acrobatic performances, or singing, dancing, etc., in places where spirituous or malt liquors are sold, etc., see volume 2, Infants, sections 47 and 49, page 2816; and for prohibition of employment under 18 in street singing, or other mendicant business, see volume 2, Infants, section 48, page 2816.]

Penalty.—Any person found guilty of any crime which by this, or any other statute, is declared to be a misdemeanor, shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment, with or without hard labor, as the court may direct, for any term not exceeding three years, or both. [C S 1910 v 2 Crimes s 218 p 1812]

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Employment agencies forbidden to send girls to immoral places, etc., or to accept applications of children under 14; penalty.—No such licensed person [licensed to conduct an employment agency] shall send or cause to be sent any female as a servant or inmate or performed [performer] to enter any place of bad repute, house of ill fame or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purposes of prostitution, or gambling house, the character of which such licensed person could have ascertained upon reasonable inquiry. * * * No such licensed person shall accept any application for employment made by or on behalf of any child under the age of fourteen years, or shall place or assist in placing any such child in any employment whatever. * * * For the violation of any of the foregoing provisions of this section the penalty shall be a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or imprisonment for a period of not more than one year, or both, at the discretion of the court. * * * [C S 1910 v 2 Employment Agencies s 6 p 2205]

Enforcement: police department or license inspectors.—The enforcement of this act [s 1–8] shall be entrusted to the police departments of all municipalities not having license inspectors and to the license inspector or inspectors in other municipalities. * * * [C S 1910 v 2 Employment Agencies s 7 p 2205]

Employment under 15 in rope walking, acrobatic performances, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody or control of any minor child under the age of fifteen years who shall in any manner sell, apprentice, give away or otherwise dispose of such child, and any person who shall take, receive, or employ such child for the vocation or occupation of rope or wire-walking, or as an acrobat, gymnast, contortionist or rider, and any person having the care, custody or control of any minor child whatsoever who shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof, before any justice of the peace, magistrate or court of record, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [C S 1910 v 2 Infants s 47 p 2816]

Employment under 18 in street singing, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody or control, lawful or unlawful, of any minor child under the age of eighteen years, who shall use such minor or apprentice, give away, let out, hire or otherwise dispose of such minor to any person for the purpose of singing, playing on a musical instrument, begging, or for any mendicant business whatsoever, in the streets, roads or other highways of this State, and whosoever shall take, receive, hire, employ, use or have in custody any such minor for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging upon the streets, roads or other highways of the State, or for any mendicant business whatever, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than fifty dollars nor more than one hundred dollars. [C S 1910 v 2 Infants s 48 p 2816]

Employment under 15 in theaters, concert halls, etc., where intoxicating liquors[1] *are sold, prohibited; penalty for parent, employer, etc.*—Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away or permit such child to sing, dance, act or in any manner exhibit in any dance house whatever, or in any concert saloon, theater or place of entertainment where wines or spirituous or malt liquors are sold or given away, or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected by any passageway or entrance, and any proprietor of any dance house whatever, or any such concert saloon, theater or place of entertainment so employing any such child, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [C S 1910 v 2 Infants s 49 p 2816]

[1] Person having license to sell liquors is prohibited by C S 1910 v 2 Crimes s 70f p 1769 from permitting any minor under 18 to frequent his place of business.

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MINES

MINIMUM AGE

Employment under 12 prohibited; penalty.—Any person who shall take, receive, hire or employ any child under twelve years of age in any underground works or mine or like place whatsoever, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than ten dollars nor more than fifty dollars. [C S 1910 v 2 Infants s 50 p 2816]

NOTE.—[For prohibition under 14 of employment in mines and quarries, see volume 3, Labor, section 16, as amended by 1914, chapter 236, section 2.]

FACTORIES, MILLS, WORKSHOPS, ETC.

MINIMUM AGE

Employment under 14 prohibited; penalty for parent, employer, etc.—No child under the age of fourteen (14) years shall be employed, allowed or permitted to work in any newspaper plant, printery, factory, workshop, mill, commercial laundry, or place where printing or the manufacture of goods of any kind is carried on; any corporation, firm, individual, parent, parents or custodian of any child, who shall violate any of the provisions of this section, shall be liable to a penalty of fifty dollars for each offense. [C S 1910 v 3 Labor s 16 p 3023 as amended by 1914 C 60]

Court decision.—The act of which this is an amendment was held constitutional.—Bryant *v.* Hardware Co., 76 N. J. L. 45, 69 Atl. 23 (1908).

NOTE.—[Section 16, volume 3, Labor, of the Compiled Statutes of 1910, was amended by chapter 60 of the Acts of 1914, approved March 26, 1914, quoted above, and also by chapter 236, section 2, and chapter 252, section 1, of the same Acts, both approved April 17, 1914, quoted below.]

Employment under 14 prohibited in these occupations, and in mines and quarries; penalty for parent, employer, etc.—No child under the age of fourteen (14) years shall be employed, allowed or permitted to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on, or in any mine or quarry; any corporation, firm, individual, parent, parents or custodian of any child, who shall violate any of the provisions of this section, shall be liable to a penalty of fifty dollars for each offense. [C S 1910 v 3 Labor s 16 p 3023 as amended by 1914 C 236 s 2]

Employment under 14 prohibited; penalty for parent, employer, etc.; additional penalty.—No child under the age of fourteen years shall be employed, allowed or permitted to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on. The officers or agents of any corporation, the members of any firm, or any person, or any parent, parents or custodian of any child who shall violate any of the provisions of this section shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act [s 16–60], shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [C S 1910 v 3 Labor s 16 p 3023 as amended by 1914 C 252 s 1]

Definition of custodian.—The word custodian as used in this act [s 16–60] shall include any person, organization or society having the legal custody of a child. [C S 1910 v 3 Labor s 17 p 3024]

EMPLOYMENT CERTIFICATES

Age and school certificates required from 14 to 16; penalty.—No corporation, firm, or person owning or operating a place or places coming under the provisions of this act [s 16–60] shall employ, allow or permit any child under the age of sixteen years to work therein unless that child shall produce an age and schooling certificate, as provided and required by law. The officers and agents of any corporation, or the members of any firm or any person failing to comply with the provisions of this section shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, be fined not to exceed twenty-five dollars, or committed to jail, not to exceed sixty days, or both. [C S 1910 v 3 Labor s 18 p 3024 as amended by 1914 C 252 s 2]

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Evidence of age.—In any suit brought to recover a penalty for violation of section one [16] of this act [s 16–60] or in any criminal proceedings wherein the defendant is charged with violating any of the provisions of this act, a copy of the baptismal record, certified to be a true copy under the hand of the person having the custody of such records for the church or parish in which such child was baptized, shall be prima facie evidence of the child's age: *Provided however*, That in case the age of the child is not set forth in the baptismal record, that there shall be other proof showing the age of the child at the time he or she was baptized. [C S 1910 v 3 Labor s 19 p 3025 as amended by 1914 C 252 s 3]

Evidence of age; penalty.—The commissioner, assistant or any inspector is hereby empowered to demand of any parent, parents or custodian, proof of the age of a child satisfactory to the commissioner, and such parent, parents or custodian shall, within five days after such demand is made, furnish to such officer proof of such child's age; and in event of the failure to procure and furnish such proof of age, such child shall be discharged by his or her employer upon notice in writing signed by the commissioner, and shall not be reemployed until such proof of age shall have been furnished to the commissioner; any person violating the provisions of this section shall be liable to a penalty of fifty dollars for each offense. [C S 1910 v 3 Labor s 20 p 3025]

Penalty for false certificates, etc.—Any one who shall swear falsely to any affidavit or present any certificate or passport which he or she knows to be false, and any person or persons who shall aid, assist or advise the making of a false affidavit or the obtaining of a false certificate or passport, shall be liable to a penalty of fifty dollars for each offense. [C S 1910 v 3 Labor s 21 p 3025]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, etc.; penalty for parent, employer, etc.—No minor under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Adjusting any belt to any machinery; sewing or lacing machine belts in any workshop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the following machines: circular or band saws; wood choppers, wood jointers; planers; sandpaper or wood polishing machinery; wood turning or boring machinery; picker machines or machines used in picking wool, cotton, hair, fur or any other material; carding machines; paper lace machines, [;] job or cylinder printing presses operated by power other than foot power; boring or drill presses; stamping machines used in sheet metal and tinware or in paper and leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corner staying machines in paper box factories; corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; steam boilers, dough brakes or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling mill machinery; power punches or shears; washing, grinding or mixing machinery; collender [calender] rolls and mixing rolls in paper and rubber manufacturing; laundering machinery; or in proximity to any hazardous or unguarded belting, machinery or gearing, which, in the judgment of the commissioner of labor, is a menace to the safety of such minor. No minor under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about, or in connection with any processes in which dangerous or poisonous acids are used; or in the manufacture or packing of paints, colors, white or red lead; or in any process in which lead or its compounds are employed; or in soldering; or in occupations causing mineral, animal or vegetable dust in injurious quantities, including flint, clay, metal and talc dust; tobacco, rubber and cotton dust; silk, fur, wool and leather dust; or in the manufacture or use of dangerous or poisonous dyes; or in the manufacture or preparation of compositions with dangerous or poisonous gases or fumes; or in the manufacture or use of compositions of dye in which the quantity thereof is injurious to health; or in any trade, [sic] process which shall offer such exposure to excessive heat, cold, muscular exertion or other physical risk as shall, in the judgment of the commissioner of labor, be harmful to the health and future working efficiency of such minor. The officers or agents of any corporation, the members of any firm, or any person, or the parent, parents or custodian of any child who shall violate any of the provisions of this section, shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where

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a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [C S 1910 v 3 Labor s 22 p 3025 as amended by 1914 C 252 s 4]

FACTORIES, MILLS, WORKSHOPS, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Age and school certificates and lists required under 16; penalty.—Any corporation, firm or person, owning, or operating a place coming under the provisions of this act [s 16–60] and employing, allowing or permitting minors under the age of sixteen years to work therein, shall keep or cause to be kept in the main office of such place, in the town or city where such place is located, a register in which shall be recorded the names, places of residence and time of employment of all such minors and shall keep on file the age and schooling certificates issued to said minors as provided and required by law; such registers and age and schooling certificates shall be produced for inspection upon demand of the commissioner, assistant or any of the inspectors; all police officers, and officers and agents of any society incorporated under the laws of this State for the prevention of cruelty to children, and all attendance officers shall have the same right as inspectors to examine such registers and the age and schooling certificates; the officers or agents of any corporation, the members of any firm or any person failing to keep such register, or failing to keep on file the age and schooling certificates or refusing to permit the persons herein authorized to inspect the register of the certificates, shall be deemed to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned not to exceed sixty days, or both. [C S 1910 v 3 Labor s 23 p 3025 as amended by 1914 C 252 s 5]

HOURS OF LABOR

Eight hours a day, 48 a week, and night and Sunday work prohibited, under 16; penalty.—No minor under the age of sixteen years shall be employed, permitted or allowed to work in places coming under the provisions of this act [s 16–60], more than eight hours in a day or forty-eight hours in a week; nor shall any minor under the age of sixteen years be employed, permitted or allowed to work in any place or places coming under the provisions of this act after seven o'clock in the afternoon or before seven o'clock in the morning of any day; nor shall any child under the age of sixteen years be employed, permitted or allowed to work on the first day of the week, commonly known as Sunday, or any time during said day, [;] the officers and agents of any corporation, or any firm or person permitting or allowing any violation of the provisions of this section shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business shall be deemed guilty of keeping a disorderly house, and upon conviction thereof, shall be fined, not to exceed one thousand dollars, and [sic] shall be committed to jail, not to exceed three years, or both. [C S 1910 v 3 Labor s 24 p 3025 as amended by 1914 C 252 s 6]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning machinery in motion and working in certain positions prohibited under 16.—No minor under sixteen years of age shall be required, allowed or permitted to clean any part of the gearing or machinery in any place coming under the provisions of this act [s 16–60], while the same is in motion, or to work between the fixed or traversing parts of any machinery while it is in motion by the action of steam, water or other mechanical power. [C S 1910 v 3 Labor s 36 p 3028]

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FACTORIES, MILLS, AND WORKSHOPS

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; dressing rooms if ordered by commissioner.—Every factory, workshop or mill shall contain sufficient, suitable, convenient and separate water-closets for each sex, which shall be properly screened, ventilated and kept clean; and also a suitable and convenient wash room; the water-closets used by women shall have separate approaches; if women or girls are employed, a dressing room shall be provided for them when ordered by the commissioner. [C S 1910 v 3 Labor s 38 p 3028]

FACTORIES AND WORKSHOPS

HEALTH AND SANITATION

Cleanliness where women and children are employed.—Factories and workshops in which women and children are employed, and where dusty work is carried on, shall be limewashed or painted at least once in every twelve months. [C S 1910 v 3 Labor s 39 p 3029]

REGULATED OCCUPATIONS

ENFORCEMENT

Copy of law to be posted.—An abstract of this law [s 16–60] shall be prepared and furnished upon request by the commissioner to every corporation, firm or person in this State who is affected thereby, and every manufacturer to whom a copy of such abstract is sent or delivered shall post such abstract of this law and keep it posted in plain view in such place that it can be easily read by the employees or operatives in coming in or going out from said factory, workshop or mill. [C S 1910 v 3 Labor s 40 p 3029]

Hindering inspectors, etc., prohibited.—No person shall interfere with, delay, obstruct or hinder by force or otherwise, the commissioner, the assistant commissioner or inspectors, while in the performance of their duties, or refuse to answer in writing or otherwise, questions asked by such officers relating to the matters coming under the provisions of this act [s 16–60]; no person shall impersonate an officer of the department or forge his certificate of authority. [C S 1910 v 3 Labor s 41 p 3029]

Department of labor established; organization; duties and powers of commissioner of labor, inspectors, etc.—For the purpose of carrying into effect and enforcing the provisions of this act [s 16–60], there shall be and hereby is established a department to be known as the department of labor; the department shall have its main office in Trenton, and shall consist of a commissioner, an assistant commissioner and eleven inspectors; * * * the governor shall appoint eleven suitable persons as inspectors, two of whom shall be women; * * * when the work of the department shall necessitate the employment of additional inspectors, the commissioner shall have the power to employ such inspectors at such compensation and for such length of time as he may deem necessary, and such extra inspectors shall have the same rights, powers and privileges as the inspectors appointed by the governor; * * * it shall be the duty of the commissioner to enforce the provisions of this act and to exercise supervision and control over the assistant and the inspectors, and to cause inspections to be made of the factories, mills, workshops, and places where the manufacture of goods of any kind is carried on, by the assistant and the inspectors, as often as practicable * * *; to prosecute violations of the provisions of this act in any district court, recorders' courts of cities and before any justice of the peace having due jurisdiction, or in any other court of competent jurisdiction in this State; the commissioner, the assistant commissioner and the inspectors shall have the right at all reasonable hours to enter and inspect factories, mills, workshops and places where the manufacture of goods of any kind is carried on, and each inspector shall make a report in writing of such inspections to the commissioner at least once in each week; inspectors shall make out a list of minors discharged, with the name of child in full, residence, street and number, name of place from which such minor was discharged and date of discharge; he shall send or deliver within twenty-four hours, such list to the principal of the public school in the district where the minor resides, or to the truant officer having such school district in charge * * *. [C S 1910 v 3 Labor s 60 p 3034 as amended by 1912 C 117]

Appointment of additional inspectors.—In addition to the inspectors provided by the act [s 16–60] to which this is a supplement, and the amendments and supplements thereto, the governor shall, immediately after the passage of this act, appoint two

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suitable persons as inspectors, one of whom shall be a woman, whose salary, powers and duties and term of office, shall be the same as the inspectors already provided for. [C S 1910 v 3 Labor s 61 p 3035]

Appointment of inspector for mines and quarries.—In addition to the inspectors provided by the act [s 16–60] to which this act is an amendment and supplement, and its supplements and amendments, the commissioner of labor shall immediately appoint one additional inspector who shall have practical knowledge and skill in the work in and operation of mines and quarries, whose salary, powers and duties shall be the same as of the inspectors appointed under the acts in this section mentioned. Said inspector shall be appointed and shall hold his office and perform his duties subject to the provisions of the act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and amendments thereof and supplements thereto. [1914 C 236 s 3]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person or corporation employing female employees in any manufacturing, mechanical or mercantile establishment in this State shall provide suitable seats for the use of the female employees so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. [C S 1910 v 3 Labor s 73 p 3037]

Penalty.—Any person or corporation who shall be guilty of any violation of the provisions of this act [s 73–74] shall be liable to a penalty of fifty dollars for each offense: *Provided*, That ten days' notice in writing shall be given by any person or persons who may choose to do so, to any person or persons or corporation violating this act, that they are required to comply with the provisions of the first section of this act, and any person or corporation failing to comply therewith upon or before the expiration of ten days from the date of service of such notice, shall be liable to the said penalty of fifty dollars for each offense, to be recovered in an action of debt in any district court in any city or before any justice of the peace having jurisdiction in civil causes * * *. [C S 1910 v 3 Labor s 74 p 3037]

MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

HOURS OF LABOR

Fifty-five hours a week's work; hours per day prescribed.—* * * Fifty-five hours shall constitute a week's work in any factory, workshop or establishment where the manufacture of any goods whatever is carried on; and the periods of employment shall be from seven o'clock in the forenoon until twelve o'clock noon, and from one o'clock in the afternoon until six o'clock in the evening of every working day except Saturday, upon which last-named day the period of employment shall be from seven o'clock in the forenoon until twelve o'clock noon. [C S 1910 v 3 Labor s 75 p 3038]

Ten hours a day, 5 on Saturdays, 55 a week, meal time prescribed, and night work prohibited for boys under 18 and girls of any age; fruit-canning establishments and glass factories excepted.—No person under the age of eighteen years, male or female, and no woman above that age shall be employed in any factory, workshop or manufacturing establishment except during the periods of employment hereinbefore mentioned: *Provided*, That the provisions in this act [s 75–78] in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit-canning establishments or in any factory engaged in the manufacture of glass. [C S 1910 v 3 Labor s 76 p 3038]

Enforcement: duties of factory inspectors.—The inspector of factories shall investigate any reported violation of the provisions of this act [s 75–78] and of the act to which this is a supplement, after it has been discovered by him or brought to his notice * * *. [C S 1910 v 3 Labor s 77 p 3038]

Penalty.—Any manufacturer or other employer who shall violate any of the provisions of this act [s 75–78] shall be liable to a penalty of one hundred dollars for each offense * * *. [C S 1910 v 3 Labor s 78 p 3039]

NOTE.—[The act (P L 1902) to which this act is a supplement was repealed. Sections 75–78 of the Compiled Statutes, quoted above, are apparently superseded so far as minors under 16 are concerned by section 24, page 3025, of the Compiled Statutes 1910, volume 3, Labor, as amended by chapter 252 of the Act of 1914, and for girls of any age (in manuacturing establishments, etc.), by chapter 216 of the Acts of 1912; but there is no provision regulating the hours of labor for boys from 18 to 21.]

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MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every individual, firm, or corporation or the managing agent of such individual, firm, or corporation, having in his or their employ one or more females engaged in the services and operations incident to any commercial employment, shall provide and maintain seats of a suitable kind, conveniently situated at or near the counter, workbench, or other places where her or their work is ordinarily performed, for the use of such females, who shall be allowed free access to such seats at all times except when engaged in the discharge of duties that can not properly be performed in a sitting position. [C S 1910 v 3 Labor s 85 p 3041]

Enforcement: duties of commissioner of labor.—It shall be the duty of the commissioner of labor and his authorized deputies to see that the provisions of this act [s 85–88] are carried out in all the mercantile establishments throughout the State in which female labor is employed, and the said commissioner or one of his deputies shall thereafter at reasonable intervals examine and inspect all such mercantile establishments for the purpose of seeing that the seats as provided for in this act are fully maintained, and that female employees are permitted to use them freely and without hindrance according to the spirit of this act. [C S 1910 v 3 Labor s 86 p 3041]

Penalty.—Any individual, firm or corporation owning or managing an establishment to which this act [s 85–88] applies, who shall fail to comply with its requirements within ten days after the date on which notice to do so has been served by the commissioner of labor or one of his deputies shall be liable to a penalty of twenty-five dollars (25) for each offense, and a failure to comply within the period of ten days (10) with such repetition of the notice as may be necessary, shall each constitute a separate offense. [C S 1910 v 3 Labor s 87 p 3041]

STREET RAILWAYS

HOURS OF LABOR

Twelve hours a day's labor; time for meals required.—Twelve hours' labor, to be performed within twelve consecutive hours, with reasonable time for meals, not less than half an hour for each, shall constitute a day's labor in the operation of all cable, traction and horse-car street surface railroads, and of all cable, traction and steam elevated railroads, owned or operated by corporations incorporated under the laws of this State, for the employees of such corporations in operating such railroads. [C S 1910 v 4 Street Railways s 57 p 5008]

Violation a misdemeanor; exceptions; extra compensation for overtime.—It shall be a misdemeanor for any officer or agent of any such corporation to exact from any of such employees more than twelve hours' labor within twenty-four hours of the natural day, and within twelve consecutive hours therein as in the first section [57] provided: *Provided however*, That in case of accident or unexpected contingency demanding more than the usual service by such corporation to the public, or from such employees to the corporation, extra labor may be permitted and exacted for extra compensation. [C S 1910 v 4 Street Railways s 58 p 5009]

Purpose of act.—It is the true intent and purpose of this act [s 57–59] to limit the usual hours of labor of the employees of railroad corporations as aforesaid to twelve hours' actual work a day, to be performed within a period of twelve consecutive hours as aforesaid, whether such employees be employed by the trip or trips, the job, the hour, the day, the week, the month, or in any other manner. [C S 1910 v 4 Street Railways s 59 p 5009]

NOTE.—[For penalty for misdemeanor, see section 218, volume 2, Crimes, Compiled Statutes 1910.]

MERCANTILE ESTABLISHMENTS

MINIMUM AGE

Employment under 14 prohibited; penalty.—No child under the age of fourteen years shall be employed, allowed or permitted to work in any mercantile establishment coming within the provisions of this act; the officers or agents of any corporation, or the members of any firm or any person who shall employ, allow or permit to work in any mercantile establishment any child under the age of fourteen years shall be

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deemed and adjudged to be disorderly persons, and, upon conviction thereof, shall be fined fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [1911 C 136 s 1 as amended by 1914 C 253]

EMPLOYMENT CERTIFICATES AND HOURS OF LABOR

Age and school certificates required from 14 to 16; eight hours a day, 48 a week, and night and Sunday work prohibited, under 16; penalty.—No child under the age of sixteen years shall be employed, allowed or permitted to work in or in connection with any mercantile establishment unless such child shall produce an age and schooling certificate as provided and required by law, nor shall said child be employed more than eight hours in any one day or more than forty-eight hours in any one week, or before seven o'clock in the morning or after seven o'clock in the evening; nor shall any child under the age of sixteen years be employed, permitted or allowed to work on the first day of the week, commonly known as Sunday, or any time during said day; the officers or agents of any corporation, or the members of any firm or any person who shall violate any of the provisions of this section shall be deemed and adjudged to be disorderly persons, and, upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail not to exceed three years, or both. [1911 C 136 s 2 as amended by 1914 C 253]

ENFORCEMENT

Duties and powers of commissioner of labor, attendance officers, etc.—It shall be the duty of the commissioner of labor, the assistant commissioner, the inspectors of the department of labor, the attendance officers or other person empowered by law to compel the attendance of children at school, and any police officer or other person designated by law to protect children from cruelty and neglect, and they shall have power to investigate and inspect all mercantile establishments coming under the intent and provisions of this act, in order to enforce the provisions of this act. [1911 C 136 s 3 as amended by 1914 C 253]

EMPLOYMENT CERTIFICATES AND RECORDS

Age and school certificates and lists required between 14 and 16; penalty.—Any corporation, firm or person owning or operating a place or places coming under the provisions of this act, and employing, allowing or permitting children between the age of fourteen and sixteen years, to work therein, shall keep or cause to be kept in the main office of such place in the town or city in which such place is located, a register or record in which shall be recorded the name, place of residence and time of employments of such minors employed therein, and shall also keep on file the age and schooling certificate of every such child during the time it is employed in said mercantile establishment. The officers and agents of any corporation, or the members of any firm or any person failing to comply with the provisions of this section shall be deemed and adjudged to be disorderly persons, and, upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [1911 C 136 s 4 as amended by 1914 C 253]

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MINIMUM AGE

Specific occupations prohibited under 16; dangerous or injurious processes, etc.; penalty.—No child under the age of sixteen years shall be employed in any mercantile establishment coming within the provisions of this act in any employment that is detrimental to health or is dangerous to life and limb of a child of that age, or that exposes him to excessive heat or cold, or that requires an excessive muscular exertion that is detrimental to the health and strength of a child of that age, or in the handling of any goods, wares or merchandise that are poisonous or that give off dust, fumes or gases, or in working around any heated metal, combination of metal or metals or their salts, that give off any dust, fumes or gases that are detrimental to the health, or on, in or around any scaffolding of any character whatsoever, or on, in and around any building that is under construction, or in any employment whatsoever which exposes him to conditions that will retard his growth or injure his health, or in any place that is damp or unhealthy, or that is injurious in any way to the health and strength of a child, or in any place where, on account of the light or the nature and character of the work the child's eyesight or hearing will be injured. The officers or agents of any corporation, the members of any firm or any person who shall employ any child, contrary to the provisions of this section of the act shall be deemed and adjudged to be disorderly persons, and, upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both: *Provided however*, That any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [1911 C 136 s 5 as amended by 1914 C 253]

ENFORCEMENT

Duties and powers of commissioner of labor, attendance officers, etc.; evidence of age required.—The commissioner of labor, his assistant, or any inspector or attendance officer, or other person empowered by law to compel the attendance of children at school, or any police officer or any officer or agent for any duly incorporated society or association for the protection of children from cruelty and neglect, is hereby empowered to enter into and inspect at any reasonable time and without notice or request for permission all mercantile establishments coming under the provisions of this act and to demand of any parent, custodian or guardian proof of the age of a child, and such parent, parents, custodian or guardians shall, within five days after such demand is made, furnish to such officer proof of such child's age; and in the event of the failure to procure and furnish such proof of age, such child shall be discharged by his or her employer upon notice in writing, signed by the commissioner, and shall not be reemployed until such proof of age shall have been furnished. [1911 C 136 s 6 as amended by 1914 C 253]

NOTE.—[Sections 80-83, volume 3, Labor, of the Compiled Statutes of 1910, relating to hours of labor and age certificates for children under 16, in mercantile establishments, are apparently superseded by sections 1-6, chapter 136 of the Acts of 1911, amended by chapter 253 of the Acts of 1914, quoted above.]

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; dressing rooms if ordered by commissioner.—Every mercantile establishment shall contain sufficient, suitable, convenient and separate water-closets for each sex, which shall be properly screened, ventilated and kept clean; and also, if ordered by the commissioner of labor, a suitable and convenient wash room; the water-closets used by women shall have separate approaches; if women or girls are employed, a dressing room shall be provided for them when ordered by the commissioner. [1911 C 136 s 9]

ENFORCEMENT

Copy of act to be posted.—An abstract of this law shall be prepared and furnished upon request by the commissioner to every corporation, firm or person in this State who is affected thereby, and every such corporation, firm or person to whom a copy of such abstract is sent or delivered shall post such abstract of this law and keep it posted in plain view, in such place that it can be easily read by the employees or operatives in coming in or going out from said mercantile establishment. [1911 C 136 s 10]

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Hindering inspector; refusing information, etc., prohibited.—No person shall interfere with, delay, obstruct or hinder, by force or otherwise, the commissioner, the assistant commissioner, inspectors or truant officers while in the performance of their duties, or refuse to answer, in writing or otherwise, questions asked by such officers relating to the matters coming under the provisions of this act; no person shall impersonate an officer of the department or forge his certificate of authority. [1911 C 136 s 11]

Duties and powers of commissioner of labor in enforcing sections 9, 10 and 11; penalty for violations of these sections.—For the purpose of carrying into effect the provisions of sections * * * nine, ten and eleven of this act the commissioner shall be and he is hereby authorized to make such orders in writing for the protection and safety of employees and operatives and the enforcement of this act, in places coming under the provisions of this act, as in his judgment shall seem necessary to carry into effect the provisions of such sections; such order shall be in writing, signed by the commissioner, and shall specify what shall be necessary to be done and within what time; any corporation, firm or person violating any of the provisions of sections * * * nine, ten and eleven, shall, for each offense, be liable to a penalty of fifty dollars. [1911 C 136 s 12]

Prosecutions.—All proceedings brought under the provisions of this act shall be by action of debt, in the name of the commissioner, to be instituted in any district court of a city, recorder's court of cities, or before any justice of the peace having due jurisdiction * * *; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution he shall not be discharged under the insolvent laws of the State but shall only be discharged by the court making the order for the body execution, [or] one or more [sic] of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey. [1911 C 136 s 13]

Application of act.—Nothing herein contained shall be construed to repeal in whole or in part the act * * * [C S 1910 v 3 Labor s 16–60] or the amendment thereof and supplements thereto, but the provisions of this act shall be held to be in addition thereto. [1911 C 136 s 14]

Definition.—"Mercantile establishment" as used in this act shall be construed to apply to any employment of labor other than a factory, workshop, mill or other place where the manufacture of goods of any kind is carried on. [1911 C 136 s 15]

FACTORIES, MILLS, WORKSHOPS, ETC.

HOURS OF LABOR

Time for midday meal required; Saturday excepted.—Every corporation, firm or person owning or operating any place coming under the provisions of the act to which this act is a supplement [C S 1910 v 3 Labor s 16–60] shall give all operatives and employees at least one-half hour for their midday meal, after being continuously employed for a period of not more than six hours, on any workday except Saturday. [1911 C 273 s 1]

Time for meals if employed in shifts or at night.—The period for such meals shall be fixed by every such employer, having in view the health and physical welfare of such operatives and employees in all such factories, workshops, mills and places where the manufacture of goods of any kind is carried on; if any such place is operated at night, or in eight-hour shifts, such meal period shall be fixed as aforesaid for such operatives and employees at such time as may be consistent with the mutual interests of such employer and operatives and employees. [1911 C 273 s 2]

Hours for meals to be posted.—Notice of the hours within which such operatives may obtain such meals shall be plainly printed and kept posted in a conspicuous place in all workrooms where any such employees or operatives are engaged. [1911 C 273 s 3]

Penalty.—Any such owner or employer, violating any of the provisions of this act shall be liable to a penalty of one hundred dollars for the first offense and of two hundred dollars for each subsequent offense. [1911 C 273 s 4]

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MESSENGERS

HOURS OF LABOR

Night work prohibited under 21 in cities of the first class and under 18 in other cities; exceptions.—No person under the age of twenty-one years in cities of the first class, and no person under the age of eighteen years in other municipalities, shall be employed or permitted to work as a messenger for or by any telegraph, telephone or messenger corporation, firm or person owning, engaged in or operating the business of distributing, transmitting or delivering goods or messages or in the performance of other service, before five o'clock in the morning or after ten o'clock in the evening of any day: *Provided*, That the commissioner of labor shall have the power to grant permits under extraordinary circumstances for the delivery of telegrams or telephone messages between the hours of ten p. m. and five a. m. [1911 C 363 s 1]

Penalty.—Any such corporation, firm or person engaged in or operating the business of distributing, transmitting or delivering goods or messages as aforesaid, who shall violate any of the provisions of this act, shall be liable to a penalty of one hundred dollars for each offense, to be sued for in an action of debt, for the use of the State as hereinafter provided. Any repetition or repetitions thereof shall each constitute a separate offense. [1911 C 363 s 2]

Enforcement: duties of commissioner of labor.—It shall be the duty of the commissioner of labor and his authorized deputies to enforce the provisions of this act, and to examine and inspect, at reasonable intervals, the business and practice of all telegraph, telephone or messenger corporations, firms and persons owning, engaged in or operating the business of distributing, transmitting or delivering goods or messages or in the performance of other service, for the purpose of enforcing the provisions of this act. [1911 C 363 s 3]

Prosecution.—All proceedings brought under the provisions of this act shall be by action of debt, in the name of the commissioner of labor, but for the use of the State, to be instituted in any district court of a city, recorders' courts of cities, or before any justice of the peace having due jurisdiction * * *; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey. [1911 C 363 s 4]

BAKERIES, CONFECTIONERY ESTABLISHMENTS, ETC

HOURS OF LABOR

Enforcement: duties of commissioner of labor.—The commissioner of labor shall be required to enforce compliance with all the provisions of this act, and for that purpose it shall be his duty to have all places used for the purposes specified in section one [buildings or rooms where biscuits, pies, bread, crackers, cakes, macaroni and other foodstuffs, confectionery, candy, ice cream or frozen sweets are manufactured or made for the purpose of sale] visited and inspected at least once in three months; and whenever a complaint in writing, signed by an employee in any such place or by any officer or representative of any labor union in the county wherein the same is located, shall be received by the said commissioner, stating that any provision of this act is being violated in any such place, it shall be the duty of the said commissioner forthwith to have the said place, concerning which the complaint is made, visited and inspected. The visits of inspection shall be made in the presence of those then working or employed in said place, and during the usual hours of employment therein. * * * [1912 C 127 s 6]

Night work prohibited under 16; 10 hours a day, 60 a week, for all employees; exceptions; compensation for overtime.—No person under the age of sixteen years shall be employed or allowed or permitted or required to work in any place where any of the articles mentioned in section one [biscuits, pies, bread, crackers, cakes, macaroni and other

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foodstuffs, confectionery, candy, ice cream or frozen sweets] are manufactured or made for the purpose of sale, between the hours of seven o'clock in the afternoon and seven o'clock of the forenoon following; no employee in any such place shall be required, permitted or suffered to work in any such place more than sixty hours in any one week or more than ten hours in any one day, unless for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such employee shall so work during such week, but it shall be lawful, in cases of emergency, for an employer to permit any employee to work an additional time, not exceeding two hours per day, such extra work to be remunerated at the rate of weekly wages paid to such employee for his week of sixty hours; no employee in any such place shall be discharged by his employer for having made any truthful statement as a witness in a court, or to the commissioner of labor, assistant commissioner of labor, or any inspector in pursuance of this act, or any act amendatory hereof or supplementary hereto. [1912 C 127 s 7]

Penalty.—Any person violating any of the provisions of this act, or any owner or proprietor of any place coming within the provisions of this act who fails to obey any order of this act, shall be liable to a penalty of fifty dollars for the first offense and one hundred dollars for each subsequent offense. Any person who shall, after conviction for violation of any provision of this act, continue such violation shall be liable to a penalty of one hundred dollars. [1912 C 127 s 10]

Injunction to restrain violation of act.—Whenever any person shall violate any of the provisions of this act it shall be lawful for the commissioner of labor, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, to file a bill in the court of chancery in the name of the State, at the relation of such commissioner, for an injunction to restrain such violation and for such other or further relief in the premises as the court of chancery shall deem proper, but the filing of such bill, nor [or] any of the proceedings thereon, shall not relieve any party to such proceedings from the penalty or penalties prescribed by this act for such violation. [1912 C 127 s 14]

Application of act.—* * * Nothing in this act shall be construed to repeal, affect or in anywise impair the provisions affecting places where biscuits, pies, bread, crackers, cakes, macaroni and other food stuffs, confectionery, candy, ice cream or frozen sweets are manufactured, or any other provisions of * * * [C S 1910 v 3 Labor s 16–60]. [1912 C 127 s 15]

Constitutionality of act.—In case for any reason any section or any provision of this act shall be questioned in any particular and shall be held to be unconstitutional or invalid, the same shall be held to be severable from the other portions of this act and shall not be held to affect any other section or provision of this act. [1912 C 127 s 16]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC

HOURS OF LABOR FOR GIRLS.

Ten hours a day, 60 a week, 6 days a week; canning perishable fruits and vegetables excepted; mercantile establishments excepted 6 working-days preceding Christmas.—No female shall be employed, allowed or permitted to work in any manufacturing or mercantile establishment, in any bakery, laundry or restaurant more than ten hours in any one day, or more than six days, or sixty hours in any one week: *Provided*, That nothing herein contained shall be held to apply to any mercantile establishment for the six working-days next preceding the twenty-fifth day of December in each year: *And provided further*, That nothing herein contained shall apply to canneries engaged in packing a perishable product such as fruits or vegetables. [1912 C 216 s 1]

Enforcement: duties and powers of commissioner of labor, inspectors, etc.—It shall be the duty of the commissioner of labor, the assistant commissioner or the inspectors and they shall have power to investigate and inspect, all establishments coming under the intent and provisions of this act. [1912 C 216 s 2]

Copy of act to be posted; time book required.—An abstract of this law shall be prepared and furnished by the commissioner of labor to every corporation, firm or person in this State who is affected thereby, and every such corporation, firm or person shall post such abstract of this law and keep it posted, in plain view, in such place that it can be easily read by the employees or operatives in going in or coming out from said manufacturing or mercantile establishment, bakery, laundry or restaurant, and shall also keep a record of the hours of work of each employee in a proper book prepared for that purpose which book shall be open to the inspection of the department of labor as required. [1912 C 216 s 3]

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Penalty.—Whoever employs any female or permits any female to be employed in violation of any of the provisions of this act shall be punished for a first offense by a fine of not less than twenty-five nor more than fifty dollars, and for a second offense by a fine of not less than fifty nor more than two hundred dollars. [1912 C 216 s 4]

Definition.—"Manufacturing establishments" as used in this act means any place where articles for use or consumption are regularly made. [1912 C 216 s 6]

Definition.—"Mercantile establishment" as used in this act means any place where goods, wares or merchandise are offered for sale. [1912 C 216 s 7]

Definition.—"Bakery" as used in this act shall include all buildings, rooms or places where biscuits, pies, bread, crackers, cakes and confectionery are made or manufactured for sale. [1912 C 216 s 8]

Definition.—"Restaurant" as used in this act means any place where refreshments, both food and drink, and where meals are served to the public. [1912 C 216 s 9]

Definition.—"Laundry" as used in this act means any place where laundry work is regularly carried on. [1912 C 216 s 10]

Constitutionality of act.—In case for any reason any section or provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other section or provision of this act. [1912 C 216 s 11]

ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 5 to 18.—The board of education of any school district may cause to be taken an exact census of all children residing in such district between the ages of five and eighteen years, including such other information as said board may deem necessary or proper: *Provided*, That such census shall not be taken more often than once in five years, and shall not be taken in any year in which a United States or a State census shall be taken. The board of education of the school district may appoint as many suitable persons as may be necessary to act as enumerators in taking the said census, and may fix the compensation to be paid to said enumerators, not exceeding four cents for each name in said census, which compensation shall be paid as a current expense of the district. [C S 1910 v 4 Schools s 125a p 4768]

COMPULSORY SCHOOL ATTENDANCE

Enforcement: appointment of attendance officers.—Whenever there shall be certified to the commissioner of education that there has been subscribed or donated a sum not less than nine hundred dollars for the purpose of paying the salary of a person to be known as county attendance officer of any county, said commissioner shall appoint, by and with the advice and consent of the State board of education, a suitable person to be known as county attendance officer for said county who shall perform such duties as shall be prescribed by rules and regulations adopted by the State board of education. The term of office of such county attendance officer shall be one year, but no person shall be appointed as such county attendance officer in any year until there shall have been certified to the commissioner that a sum sufficient to pay the salary of such officer, but not less than nine hundred dollars, shall have been subscribed or donated as aforesaid. [1914 C 137 s 1]

NOTE.—[Article XV of the Compiled Statutes of 1910, relating to compulsory school attendance, is apparently superseded by the provisions of a supplement, chapter 221 of the Acts of 1913, which appears to have been again superseded by another supplement, chapter 223 of the Acts of 1914, with the possible exception of one provision (1913 C 221 s 12) that "the commissioner of education shall prepare and furnish all blanks and forms necessary to carry into effect the provisions of this article" and with the exception also of section 4, as amended by chapter 224 of the Acts of 1915, quoted on page 20."]

Definitions.—(a) "Supervisor of school exemption certificates," as used in this act, shall mean any superintendent of schools, supervising principal, principal or teacher of any school district who shall be designated by the board of education in that district to carry out the provisions of this act.

(b) "Age and schooling certificate," as used in this act, shall mean a certificate granted by the supervisor of school exemption certificates, and such certificate, when granted, pursuant to this act, shall authorize the holder thereof to cease attending school when employed in some occupation lawful for children under sixteen years of age.

(c) "Age and working certificate," as used in this act, shall mean a certificate granted by the supervisor of school exemption certificates, pursuant to section thir-

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teen of this act, which certificate, when granted, shall not exempt the child from attendance at school, but shall allow such child to secure certain employment in the open air, which employment shall be lawful for children under fourteen years of age.

(d) "Employer's certificate," as used in this act, shall mean a certificate setting forth the fact that a child has secured employment, as provided in section twelve of this act. [1914 C 223 s 1]

Children from 7 to 14; from 14 to 16 unless granted an age and school certificate and regularly and lawfully employed; exceptions.—Every parent, guardian, or other person having custody and control of a child between the ages of seven and sixteen years, shall cause such child regularly to attend a day school in which at least reading, writing, spelling, English grammar, arithmetic and geography are taught in the English language by a competent teacher, or to receive equivalent instruction elsewhere than at school, unless such child is above the age of fourteen years, has been granted an age and schooling certificate, and is regularly and lawfully employed in some useful occupation or service. Such regular attendance shall be during all the days and hours that the public schools are in session in said school district, unless it shall be shown to the satisfaction of the board of education of said school district that the mental or bodily condition of the child is such as to prevent his or her attendance at school. [1914 C 223 s 2]

EMPLOYMENT CERTIFICATES

Supervisor of school-exemption certificates may issue age and school and age and working certificates.—Age and schooling certificates and age and working certificates may be granted by the supervisor of school exemption certificates in the school district in which the child resides, on the application in person of the parent, guardian or custodian of the child for whom such certificate is desired. [1914 C 223 s 3]

COMPULSORY SCHOOL ATTENDANCE

Children under 16 unless regularly and lawfully employed.—Every child under the age of sixteen years who is not regularly and lawfully employed in any useful occupation or service, shall not be exempt from attendance at school. [1914 C 223 s 4]

EMPLOYMENT CERTIFICATES AND PERMITS

Evidence of age.—For the purpose of this act, evidence that the child is at least fourteen years of age shall consist of one of the following proofs of age, and shall be required in the order herein designated, as follows:

(a) A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child.

(b) A passport, or a duly attested transcript of a certificate of baptism showing the date of birth, and place of baptism of the child.

(c) In case the proofs required by paragraphs (a) or (b) can not be produced, such other documentary evidence of age as shall be satisfactory to the officer issuing the certificate (except the school record of the child or the affidavit of the parent, guardian, or other person having control of such child) may be accepted, duly attested, as proof of age, in the discretion of the officer issuing the certificate.

(d) In case no documentary proof of age can be produced the officer authorized to issue the certificate may receive and file an application for a physician's certificate signed by the parent, guardian or other person having control of the child for whom the application is made. Such application shall contain the name, alleged age, place and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall also contain a statement certifying that the person signing such application is unable to produce any of the documentary evidence specified in paragraphs (a), (b) or (c). Within sixty days after the date of the filing of such application a careful investigation shall be made as to the truth of the facts set forth in said application, and if no facts shall appear tending to discredit or contradict any material statement in the application, the officer authorized to issue the certificate may direct the child to appear, at a time and place to be designated by him, for physical examination without removal of clothing by a medical inspector employed by the board of education of the school district in which said child resides. In case said medical inspector shall certify in writing that he has examined said child, and that, in his opinion, such child is at least fourteen years of age, such officer shall, for the purpose of this act, accept the

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certificate of said medical inspector, as sufficient proof of the age of said child. The officer issuing the certificate shall require the evidence of age specified in paragraph (a) in preference to that specified in any subsequent paragraph, and shall not accept the evidence of age specified by any paragraph other than paragraph (a) unless there shall be filed in his office, in addition thereto, an affidavit of the parent, guardian, or other person having control of the child, showing that no evidence of age specified in any paragraph preceding that specified in the affidavit can be produced. Said affidavit shall also contain the age, date and place of birth, when and where baptized and present residence of the child. [1914 C 223 s 5]

Powers of supervisor to administer oaths and take affidavits; penalty for false statements.—All oaths, affirmations and affidavits require to be made or taken in any proceeding had pursuant to this act in an application for an age and schooling certificate, or age and working certificate shall be taken by the supervisor of school exemption certificates and the said supervisor of school exemption certificates is hereby granted the power to administer oaths and take affidavits and affirmation in all such proceedings held pursuant to this act. Any person who shall swear or affirm falsely at any hearing or any proceeding taken pursuant to this act to an application for an age and schooling certificate or age and working certificate, or shall sign and swear or affirm to any affidavit containing a false statement to be used in any such proceeding, shall be guilty of committing perjury and, upon conviction thereof, shall be fined not exceeding one thousand dollars or imprisoned with or without hard labor as the court may direct for any time not to exceed three years, or both. [1914 C 223 s 6]

Certificate of physical fitness required from 14 to 16.—Before granting any age and schooling certificate or age and working certificate the child shall appear before a medical inspector employed by the board of education who shall examine said child and file with the supervisor of school exemption certificates a certificate signed by said medical inspector describing the physical condition of said child and certifying as to whether such child has the normal development of a child of its age and is of sufficiently sound health and physically able to be employed in any of the occupations in which a child between fourteen and sixteen years of age may legally be employed. [1914 C 223 s 7]

Educational and physical requirements.—No age and schooling certificate shall be issued until there shall have been filed, with the officer authorized to issue the same, satisfactory proof that the child for whom such certificate is requested has regularly attended a public school, or has received instruction equivalent to that provided in the public schools, for a period of not less than one hundred and thirty days during the twelve months next preceding the date of the application for such certificate, is able to read intelligently and write legibly simple sentences in the English language, has completed a course of study equivalent to five yearly grades in reading, writing, spelling, English language and geography, is familiar with the fundamental operations of arithmetic, up to and including simple fractions, and that such child is able to perform the work in which he or she may be lawfully employed. [1914 C 223 s 8]

Method of issuing and contents of certificates.—Satisfactory proof on behalf of a child applying for an age and schooling certificate pursuant to the provisions of this act having been produced as to the age, physical condition and schooling of said child, it shall be lawful for the supervisor of school exemption certificates to issue in accordance with section three of this act an age and schooling certificate to said child, dated on the day it is issued and signed by the person issuing the same, which certificate shall state the color, name, sex, date and place of birth, residence, color of hair and eyes, height, weight, and any distinguishing facial marks of the child, and shall contain a statement that the proofs of age, education and physical condition required by this act have been filed with the officer issuing the certificate, and that the child named in the certificate has personally appeared before the medical inspector and been examined. Every such certificate shall be signed in the presence of the supervisor of school exemption certificates by the child in whose name it is issued or other person having custody and control of such child. [1914 C 223 s 9]

Department of labor to approve certificates; records of issuing office; revocation of certificates.—Every supervisor of school exemption certificates issuing an age and schooling certificate or an age and working certificate shall send immediately to the department of labor at Trenton the original papers upon which said certificate was granted. Said department shall examine said papers and promptly return them to the supervisor of school exemption certificates, who shall file them in his office. Whenever there is reason to believe that an age and schooling certificate or an age and working certificate was improperly issued the commissioner of labor shall notify the commissioner of education and the board of education of the school district in which said certificate was issued. The board of education of said district may cancel any age

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and schooling certificate or any age and working certificate issued by it and shall cancel the same when directed so to do by the commissioner of education. [1914 C 223 s 10]

Records of issuing office.—The supervisor of school exemption certificates shall keep a record of every such certificate issued by him giving all the facts contained in such certificate, and also a record of the name and address of every child to whom a certificate has been refused, together with the name or number of the school which such child should attend, and the reason for refusal. [1914 C 223 s 11]

Employer to notify supervisor of commencement of employment, etc.; certificates to be returned to issuing office; penalty; notification upon revocation of certificate.—The supervisor of school exemption certificates shall give to each child to whom an age and schooling certificate is issued a blank form of "employer's certificate" which shall be filled in by the person employing said child, setting forth the nature of the work the child is to do, the date the child starts work, and also the salary a week to be paid the child, which form, correctly filled out, shall within two days, be surrendered or returned by the person, firm or corporation employing said child to the supervisor of school exemption certificates of the district in which the child resides. The child, upon securing employment, shall surrender the age and schooling certificate to his employer who shall retain said certificate during the time said child is in his employ; said employer shall, within two days after the child is discharged or ceases to work for him, surrender or return the age and schooling certificate to the supervisor of school exemption certificates of the school district in which said child resides, who shall file the same in his office and keep said certificate until such time as the child shall again secure employment. If, however, said employer does not know or can not find the location of said child's residence, he shall surrender or deliver the age and schooling certificate to the supervisor of school exemption certificates for the district in which the business of the employer was located, and said supervisor of school exemption certificates shall make inquiry and search for said child, and if he can not find where said child resides, he shall return the certificate to the supervisor of school exemption certificates who issued the same. Whenever a child shall find other employment it shall apply to the supervisor of school exemption certificates of the school district in which said child lives for the return of the age and schooling certificate, together with a blank form of employer's certificate, and the employer shall retain and file in his office said age and schooling certificate, and fill in and return the employer's certificate as provided above. Any person, the members of any firm or the officers or agents of any corporation failing to comply with the provisions of this section of this act, shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined not to exceed twenty-five dollars, or imprisoned in jail, not to exceed thirty days, or both. Whenever any age and schooling certificate or any age and working certificate shall have been canceled as provided in section ten of this act, the board of education canceling said certificate shall immediately notify the commissioner of education, the commissioner of labor and the person or corporation by whom the child is employed of its action, and said person or corporation shall immediately upon receiving said notice forward said certificate to the commissioner of education. [1914 C 223 s 12]

Employment in street trades, etc., permitted from 10 to 16 on account of poverty except during school hours and at night; age and working certificates required; penalty; section not to apply to agricultural pursuits.—Whenever a child between the age of ten and sixteen years desires to work in order to assist in supporting itself or the family, it shall be lawful for the parent, guardian or other person having the custody and control of said child between the ages of ten and sixteen years to file a petition with the supervisor of school exemption certificates of the school district in which the child resides, which petition shall set forth the fact that said child desires to secure employment in order to help support itself or family, together with evidence which shall comply with the provisions of this act as to the age of said child and the character of the work the child is to perform, which work shall only include selling newspapers, blacking shoes, running errands, and other light employments, not otherwise prohibited by law for children under sixteen. If upon investigation it shall be found that the facts set forth in the petition are true and that the work will not interfere with the child's standing in school, or with the child's health, it shall be lawful for the supervisor of school exemption certificates to grant to said child an age and working certificate, to work at such times as the public schools in the district shall not be in session, but not before six o'clock in the morning nor after seven o'clock at night. Any person, the members of any firm or the officers or agents of any corporation employing, permitting, or allowing a child to work, contrary to the provisions of this

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section, shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined fifty dollars, or imprisoned not to exceed one year or both: *Provided*, That nothing contained in this section shall apply to any child employed in agricultural pursuits. [1914 C 223 s 13]

COMPULSORY SCHOOL ATTENDANCE

Penalty; prosecution.—Any parent, guardian, or other person having custody and control of any child between the ages of seven and sixteen years who shall fail to comply with the provisions of section two of this act, or any parent, guardian or other person having custody and control of any child between the ages of seven and sixteen years, who shall fail to comply with any of the provisions of this act relating to his or her duties, shall be deemed to be a disorderly person, and upon conviction thereof, it shall be lawful for the magistrate or judge before whom such person is convicted to sentence such person to the workhouse, penitentiary or county jail of the county in which such person may be convicted, for a period not to exceed one year, or to impose a fine not to exceed fifty dollars, or both: *Provided however*, That no justice of the peace shall have jurisdiction in any proceedings brought under the provisions of this act: *And provided further*, That when a complaint is filed under this act the judge before whom such complaint is made shall issue a rule to show cause setting forth the facts contained in the complaint, and commanding the defendant to appear before the court at a certain time on a day which shall be at least three days from the date of the order to show cause why the defendant should not be punished pursuant to the provisions of this act, and also demanding that the defendant produce at the same time the child or children named in the complaint, which rule shall be served by the sheriff, court officer, police officer, constable or other person designated for the purpose by the court. Upon the return of said rule and the appearance of said defendant, together with said child or children, the court shall proceed to hear and determine the cause. If the defendant shall fail to appear and produce the child or children named in the rule and on the days specified therein, a warrant shall be issued and the defendant shall be proceeded against as a disorderly person in the manner provided in this act. [1914 C 223 s 15]

NOTE.—[The above section would appear to supersede section 4 of chapter 221 of the Acts of 1913, since the 1914 act repeals all acts or parts of acts inconsistent therewith, but chapter 224 of the Acts of 1915 amends section 4 of chapter 221 of the Acts of 1913, and therefore this section as amended is given below.]

Prosecution.—Any parent, guardian or other person having charge and control of any child between the ages of seven and sixteen years who shall fail to comply with any of the provisions of this article relating to his or her duties, shall be deemed to be a disorderly person. Upon the filing of a sworn complaint with the court of common pleas of the county or the juvenile court in any county where a juvenile court has been established, or with a police justice, or city, town or borough recorder of the municpality in which such school district shall be situate, a rule shall be issued by said court, police justice or recorder and served by the sheriff or any constable, requiring said disorderly person to appear before the court, police justice or recorder issuing said order, together with any child or children under the charge and control of the person upon whom said order is served, who have not been in regular attendance at school as required by this article, at the place and time and on the date specified in said rule, to show cause why said disorderly person should not be punished by a fine not exceeding five dollars for the first offense and not exceeding twenty-five dollars for each subsequent offense, in the discretion of the court, police justice or recorder. Upon the return of said rule and the appearance of said disorderly person, together with said child, said court, police justice or recorder shall inquire into the facts and make such disposition of the case as law requires. If said disorderly person and said child shall fail to appear in response to said rule, a warrant shall be issued by said court, police justice or recorder, to said sheriff or constable, commanding him to bring said disorderly person and said child forthwith before said court, police justice or recorder, for such disposition as said court, police justice or recorder may make in said case. [1913 C 221 s 4 as amended by 1915 C 224]

Enforcement: duties of parent and school supervisor.—It shall be the duty of the parent, guardian or other person having custody and control of any child to whom an age and schooling certificate has been issued to see that the child is either continuously employed or regularly attends school, and it shall be the duty of the supervisor of school exemption certificates of the district in which the child resides to take the proper proceedings, as provided in sections * * * fifteen of this act, to

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enforce the attendance at school of any child who fails to secure employment and also to secure and retain the age and schooling certificate for such child until such times as it shall secure lawful employment. [1914 C 223 s 16]

Enforcement: appointment of attendance officers.—For the purpose of enforcing the provisions of this article the board of education of each school district shall appoint a suitable number of qualified persons to be designated as attendance officers, and shall fix their compensation. Said board shall make rules and regulations not inconsistent with the provisions of this article, for the government of said attendance officers, which rules and regulations must be approved by the commissioner of education. [1914 C 223 s 17]

Enforcement: duties and powers of attendance officers.—Every attendance officer who shall find any child between seven and fourteen years of age (or any child between fourteen and sixteen years of age, who is not lawfully employed in some useful occupation or service) away from home during school hours, who shall then be a truant from school, shall take such child and deliver him to the parent, guardian or other person having charge and control of such child, or to the teacher of the school which such child is lawfully required to attend. The attendance officer shall examine into all violations of the provisions of this article, and shall warn any child violating any of the provisions of this article and also the parent, guardian or other person having charge and control of said child of the consequences of said violation if persisted in, and shall notify, in writing, such parent, guardian or other person to cause said child to attend school within five days from the date on which notice was served and regularly to attend thereafter, or [sic] every attendance officer shall have full police power to enforce the provisions of this act and shall have the power to arrest without warrant any vagrant child or habitual truant or any child who is habitually incorrigible or who is vicious or immoral in conduct or illegally absent from school. The sheriff and his officers and all police officers and constables shall assist all such attendance officers in the performance of their duties * * *. [1914 C 223 s 18]

EMPLOYMENT CERTIFICATES

Fees forbidden.—No fees or expenses incurred in obtaining an age and schooling certificate or an age and working certificate shall be charged to or paid by any parent, guardian or other person having custody or control of any child for any services or proceedings had under this act. [1914 C 223 s 19]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Definitions.—Abuse of a child shall consist in any of the following acts: * * * (b) employing or permitting a child to be employed in any vocation or employment injurious to its health or dangerous to its life or limb, or contrary to the laws of this State; (c) employing or permittjng a child to be employed in any occupation, employment or vocation dangerous to the morals of such child or children;

* * * * * * *

C. Neglect of a child shall consist in any of the following acts, by any one having the custody or control of the child: in wilfully failing to provide * * * (d) regular school education as required by law * * *. [1915 C 246 s 1]

Endangering life, health, or morals of child, allowing child to be employed contrary to laws of State, or failing to provide education: penalty.—Any parent, guardian or person having the care, custody or control of any child or children, who shall abuse, * * * be * * * neglectful of said child or children, or any person who shall abuse, be * * * neglectful of any child or children, shall be deemed to be guilty of "* * * neglect of children" and, upon conviction thereof, be fined not to exceed one hundred dollars, or to imprisonment [sic] for a term not exceeding one year, in the workhouse or penitentiary, or both, at the discretion of the magistrate before whom such conviction may be had * * *. [1915 C 246 s 2]

Prosecution.—Complaints for violation of the provisions of this act may be made to any justice of the peace or to any police magistrate of any municipality, or to a judge of the court of quarter sessions in any county, and such magistrates and judges are hereby invested with jurisdiction to hear and determine such complaints in a summary manner, and to impose the penalties provided in the last preceding section of this act * * *. [1915 C 246 s 3]

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Enforcement: powers of societies for the prevention of cruelty to children, etc.—It shall be lawful for any society, association or board incorporated or organized under the laws of this State, having as one of its objects the prevention of cruelty to children, its officers or agents, to prefer a complaint against and cause to be arrested and prosecuted any person who shall offend against the provisions of this act and to aid in prosecuting the complaint before the court. [1915 C 246 s 4]

Enforcement: appointment and powers of agents, etc.—Any duly organized or incorporated humane society, having for one of its objects the protection of children from cruelty, may offer any agents or officers employed by them to the mayor of any city for the purpose of being commissioned to act as police officers through the limits of said city, for the purpose of arresting all the offenders against this act or any of the provisions thereof, whereupon the mayor in such city shall, if such persons are proper and discreet persons, commission them to act as such police officers, with all the rights and powers appertaining thereto; * * * and in district or township not incorporated such humane society may offer similarly qualified persons to the court of common pleas of the county, whereupon such court, or any judge thereof, shall, if they be fit persons, commission such persons to act as constables, with power to arrest all offenders against this act or any provisions thereof; * * * all persons thus qualified under this section shall be deemed to be constables and police officers, and the keepers of jails or lockups or station-houses in any of said counties are required to receive all persons arrested by such policemen or constables. [1915 C 246 s 7]

Enforcement: duties and powers of police officers, constables, etc.—Whenever any person shall, before a magistrate or justice of the peace, make oath or affirmation that the affiant believes that this act has been or is being violated in any place or house, such justice or magistrate shall forthwith issue a warrant to a constable or other authorized officer to enter such place or house and investigate the same, and such person may arrest or cause to be arrested all offenders and bring them before any justice, magistrate or court of record for a hearing of the case; and it shall be the duty of all constables and policemen to aid in bringing all such offenders before said authorities for a hearing. [1915 C 246 s 10]

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NEW MEXICO

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children required to attend school; exemptions.—Every child of school age and of sufficient physical and mental ability shall be required to attend a public or other school during such period and for such time as may be prescribed by law. [Constitution article 12 section 5]

ALL OCCUPATIONS

CONSTITUTIONALITY

Legislature to enact child labor laws.—The legislature shall enact suitable laws for the regulation of the employment of children. [Con art 20 s 10]

MINES

MINIMUM AGE

Employment under 14 prohibited.—* * * No children under the age of fourteen years shall be employed in mines. [Con art 17 s 2]

Employment underground under 12 prohibited; penalty.—No child under twelve years of age shall be employed in the underground workings of any [coal] mine. And no father or other person shall misrepresent the age of anybody so employed. Any person guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed one hundred dollars. [26 United States Statutes at Large Chapter 564 page 1104 section 12]

NOTE.—[Employment under 14 is prohibited by the constitution, article 17, section 2.
The State constitution, article 22, section 3, provides that the Federal mining act of March 3, 1891 (26 U S St at L C 564 p 1104) and all acts amendatory thereof, shall remain in force until otherwise provided by law. This act provides for the appointment of a mine inspector in Territories "wherein are located coal mines, the aggregate annual output of which shall be in excess of one thousand tons per annum." Said inspector is empowered by section 14 "to enter and inspect any coal mine in his district, * * * especially to make inquiry whether the provisions of this act are complied with." The State legislature at its first session in 1912, chapter 80, (Statutes 1915 s 5362-5367) made provision for the inspection of mines and the protection of the employees therein, which in part supersedes the act of March 3, 1891, quoted above, but does not cover the employment of children.]

INTOXICATING LIQUORS

MINIMUM AGE

Employment in saloons prohibited.—It shall be unlawful for the owner of any saloon[1] within the State of New Mexico to permit any woman, either for hire or otherwise, to

[1] Proprietor of saloon is prohibited by section 3, chapter 3, Acts of 1901, from permitting any minor under 21 to loiter upon or frequent such premises.

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sing, to recite, to dance, to play on any musical instrument, to give any theatrical or other exhibition, to drink, to serve drinks or any other form of refreshments or viands, or to solicit for the purchase or sale thereof; to engage in, or to take part in any game of chance or amusement, or to loiter in any saloon or in any room or apartment thereof. [Statutes 1915 s 2907]

Employment within 100 feet of saloon prohibited.—It shall be unlawful for any woman * * * to serve any intoxicating drinks of any kind whatever, in any room adjacent to or within one hundred feet of a saloon or any place where intoxicating liquor is sold or given away * * *. [St 1915 s 2908]

Penalty.—Any person who shall violate any of the provisions of the two preceding sections shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed one hundred dollars, or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment, at the discretion of the court. [St 1915 s 2909]

Enforcement: penalty for sheriffs, police officers, etc.—Any sheriff, deputy sheriff, constable, city marshal, or police officer, failing to arrest the offender or offenders of the above law, after the same has been brought to their attention, or when seeing said law violated shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars and not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days or more than one year, or by both such fine and imprisonment at the discretion of the court, and shall also be subject to a summary removal from office by the court trying such cause. [St 1915 s 2910]

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work; exceptions.—It shall be unlawful for any railway company within the State of New Mexico or any of its officers or agents to require or permit any employee engaged in or connected with the movement of any rolling stock, engine or train, to remain on duty for a longer period than sixteen consecutive hours and whenever any such employee of such railway company shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided however*, That the provisions of this and the succeeding sections [section] shall not apply in cases of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the railway company or its officer or agent in charge of such employee at the time such employee left a terminal point and which could not have been foreseen: *Provided further*, That the provisions of said sections shall not apply to the time necessary for train crews to take passenger trains and freight trains loaded with live stock or perishable freight to the next nearest division point, nor shall it apply to the time necessary for trainmen to reach a resting place when an accident, wreck, washout, snow blockade or other unavoidable cause has delayed their train: *Provided further*, That the provisions of this act [s 4755–4756] shall not apply to employees of sleeping car companies nor to crews of wrecking or relief trains. [St 1915 s 4755]

Penalty; enforcement: duties of district attorney, the State corporation commission, etc.—Such railway company or any superintendent, train master, train dispatcher, yardmaster, or other official or agent of any railway company in the State of New Mexico requiring or permitting any such employee to go, be or remain on duty in violation of the preceding section, shall be liable to a penalty of not to exceed five hundred dollars for each and every such violation to be recovered in a suit or suits to be brought by the district attorney in the district court of the district where such violation was committed: It shall be the duty of the district attorney to bring such suits upon satisfactory information being lodged with him and when so requested to withhold the name of the person furnishing such information; but no such suit shall be brought after the expiration of one year from the date of such violation. It shall be the duty of the State corporation commission to lodge with the proper district

[1] See court decision on page 7 (New York).

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attorneys information of any such violations as may come to its knowledge. In all prosecutions under this and the preceding section the railway company shall be deemed to have had knowledge of all acts of all its officers or agents. In case of the failure of any district attorney to bring such suit within a reasonable time after information shall have been lodged with him, by the State corporation commission or any other person, of any violation of the provisions of this act [s 4755–4756], it shall be the duty of the attorney general upon being informed of such fact to cause such prosecution to be commenced. [St 1915 s 4756]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of unmarried persons from 5 to 21.—The directors of schools in the several school districts in the State shall, on or before the first day of September of each year make an enumeration of all unmarried persons between five and twenty-one years of age, giving the names, ages and sex of such persons in full, and shall report the same in writing, which enumeration list shall be signed by all the directors, to the county superintendent within fifteen days thereafter. It shall be the duty of the clerk of said school directors to correctly enumerate or cause to be enumerated all unmarried persons of the respective school districts as specified herein. For said enumeration he shall be paid from any funds in the hands of said directors the sum of one dollar and fifty cents for each one hundred names, or fraction thereof, thus enumerated. [St 1915 s 4857]

Penalty for false reports.—Any enumerator acting for the directors of schools of any district who shall willfully place fictitious names, or names of persons, not actually residing in said district, upon the official enumeration list, shall be declared guilty of a misdemeanor and on conviction thereof, before any court of competent jurisdiction, he shall be punished by a fine of not less than ten or more than fifty dollars. [St 1915 s 4858]

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 14; exceptions; duties and powers of school authorities.—The school directors or board of any school district, town or city in this State are hereby empowered and required to compel parents, guardians or other persons having the control, care or direction of children, when such children do not attend some private or denominational school, to send such children under their control to the public school during the entire time such school is in session in each scholastic year in their respective school communities, except that children referred to in this article [s 4960–4962] shall be not less than seven nor more than fourteen years of age, or of such physical disability as to unfit them for school duties, which disability shall be certified to by some regular practicing physician: *Provided*, That the private or denominational school shall be equal in its teaching to the public school of the district: *And provided further*, That this section shall not apply to children who live more than three miles from a public school. [St 1915 s 4960]

Penalty.—Any parent, guardian or other person having the control of children and who shall fail or refuse to send such children to school as required by this article [s 4960–4962], after the clerk of the school district or the clerk of any town or city school board shall have given public notice containing the substance of this article, written or printed in both English and Spanish, by posting same in some conspicuous place at three separate points within the district, or publishing the same in some newspaper within the district, shall be punished upon conviction thereof by a fine of not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00), or by imprisonment for not more than ten days in any county jail: * * * [St 1915 s 4961]

Enforcement: duties and powers of school authorities, courts, etc.—County superintendents are vested with general supervisory powers in this matter and shall require directors to comply with the provisions of the preceding section; and it shall be the duty of the presiding judge of the district courts to give, at each session of the court, the substance of this article [s 4960–4962] as a special charge to their respective grand juries, and it is made the duty of the district attorneys to give particular heed to the prosecution of causes growing out of violation of this article. [St 1915 s 4962]

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NEW YORK

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[*Note.—The duties, authority, and powers relating to the enforcement of labor laws heretofore exercised by the commissioner of labor, the deputy commissioner of labor, and the industrial board have been transferred by chapter 674 of the acts of 1915 to the industrial commission. In every case the new enforcing authority has been indicated in the text by an insertion in brackets, the former enforcing powers being omitted.*]

ALL OCCUPATIONS

WAGES

Minor entitled to wages unless claimed by parent.—Where a minor is in the employment of a person other than his parent or guardian, payment to such minor of his wages is valid, unless such parent or guardian notify the employer in writing, within thirty days after the commencement of such service, that such wages are claimed by such parent or guardian, but whenever such notice is given at any time payments to the minor shall not be valid for services rendered thereafter. [Consolidated Laws 1909 volume 1 Domestic Relations Chapter 14 article 5 section 72]

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IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send any person to immoral places, etc., or to accept applications of children; penalty.—No licensed person conducting an employment agency shall send or cause to be sent any female as a servant, employee, inmate, entertainer or performer, or any male as an employee or entertainer to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purposes of prostitution, or gambling house, the character of which such licensed person could have ascertained upon reasonable inquiry. No licensed person shall send out any female applicant for employment, without making a reasonable effort to investigate the character of the employer. Nor shall any such licensed person send any female as an entertainer or performer to any place where such female will be required or permitted to sell, offer for sale or solicit the sale of intoxicating liquors to those present or assembled as an audience or otherwise in such place or in any rooms or building adjacent thereto. No licensed person shall knowingly permit any persons of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency. No licensed person shall accept any application for employment made by or on behalf of any child or shall place or assist in placing any such child in any employment whatever in violation of article * * * [23] of the education law relating to compulsory education, and in violation of the labor law. No licensed person, his agents, servants or employees shall induce or compel any person to enter such agency for any purpose, by the use of force or by taking forcible possession of said person's property. No person shall procure or offer to procure help or employment in rooms or on premises where intoxicating liquors are sold to be consumed on the premises whether or not dues or a fee or privilege are exacted, charged or received directly or indirectly, except in office buildings in which are located cafes and restaurants. For the violation of any of the foregoing provisions of this section the penalties shall be a fine of not less than twenty-five dollars, and not more than two hundred and fifty dollars, or imprisonment for a period of not more than one year, or both, at the discretion of the court. [C L 1909 v 2 General Business C 20 art 11 s 190 as added by 1910 C 700]

Enforcement: duties and powers of mayor and commissioner of licenses; revocation of license.—1. In cities of the second and third class and in cities of the first class having a population of less than three hundred thousand, this article, so far as it relates to such cities, shall be enforced by the mayor or an officer appointed by him.

2. In cities of the first class having a population of three hundred thousand or more the enforcement of this article so far as it relates to such cities shall be intrusted to a commissioner to be known as a commissioner of licenses, who shall be appointed by the mayor * * *. Said commissioner of licenses and deputy commissioner shall have no other occupation or business. The commissioner of licenses shall appoint inspectors, who shall make at least bimonthly visits to every such agency. Said inspectors shall have suitable badges which they shall exhibit on demand of any person with whom they may have official business. Such inspectors shall see that all the provisions of this article, so far as it relates to such cities, are complied with, and shall have no other occupation or business.

3. Complaints against any such licensed person shall be made orally or in writing to the mayor or commissioner of licenses, or be sent in an affidavit form without appearing in person, and reasonable notice thereof, not less than one day, shall be given in writing to said licensed person by serving upon the licensed person either personally or by leaving the same with the person in charge of his office, a concise statement of the facts constituting the complaint, and a hearing pursuant to the powers granted to the mayor or commissioner of licenses * * * shall be had before the mayor or commissioner of licenses within one week from the date of the filing of the complaint and no adjournment shall be taken for a period longer than one week. A daily calendar of all hearings shall be kept by the mayor or commissioner of licenses and shall be posted in a conspicuous place in his public office for at least one day before the date of such hearings. The mayor or commissioner of licenses shall render his decision within eight days from the time the matter is finally submitted to him. Said mayor or commissioner of licenses shall keep a record of all such complaints and hearings. The said mayor or commissioner of licenses may refuse to issue and shall revoke any license for any good cause shown, within the meaning and purpose of this article and when it is shown to the satisfaction of the mayor or commissioner of licenses that any licensed person is guilty of any immoral, fraudulent or illegal conduct in connection with the conduct of said business, it shall be the duty of the mayor or

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the commissioner of licenses to revoke the license of such person; but notice of the charges shall be presented and reasonable opportunity shall be given said licensed person to defend himself. Whenever said mayor or commissioner of licenses shall refuse to issue or shall revoke the license of an employment agency, said determination may be reviewed by certiorari. Whenever for any cause such license is revoked, said mayor or commissioner of licenses shall not within three years from the date of such revocation issue another license to said licensed person or his representative or to any person with whom he is to be associated in the business of furnishing employment, help or engagements. In the absence of the commissioner of licenses, the deputy commissioner of licenses may conduct hearings and act upon applications for licenses, and revoke such licenses. [C L 1909 v 2 General Business C 20 art 11 s 191 as added by 1910 C 700 and amended by 1912 C 261]

REGULATED OCCUPATIONS

DEFINITIONS

Terms used in labor laws.—Employee. The term "employee," when used in this chapter, means a mechanic, workingman or laborer who works for another for hire.

Employer. The term "employer," when used in this chapter, means the person employing any such mechanic, workingman or laborer, whether the owner, proprietor, agent, superintendent, foreman or other subordinate.

Factory; work for a factory. The term factory, when used in this chapter, shall be construed to include any mill, workshop, or other manufacturing or business establishment and all buildings, sheds, structures or other places used for or in connection therewith, where one or more persons are employed at labor, except dry dock plants engaged in making repairs to ships, and except power houses, generating plants, barns, storage houses, sheds and other structures owned or operated by a public service corporation, other than construction or repair shops, subject to the jurisdiction of the public service commission under the public service commission law. Work shall be deemed to be done for a factory within the meaning of this chapter whenever it is done at any place, upon the work of a factory or upon any of the materials entering into the product of the factory, whether under contract or arrangement with any person in charge of or connected with such factory directly or indirectly through the instrumentality of one or more contractors or other third persons.

Factory building. The term "factory building," when used in this chapter, means any building, shed or structure which, or any part of which, is occupied by or used for a factory.

Mercantile establishment. The term "mercantile establishment," when used in this chapter, means any place where goods, wares or merchandise are offered for sale.

Tenement house. The term "tenement house," when used in this chapter, means any house or building, or portion thereof, which is either rented, leased, let or hired out, to be occupied, or is occupied in whole or in part as the home or residence of three families or more living independently of each other, and doing their cooking upon the premises, and includes apartment houses, flat houses and all other houses so occupied, and for the purposes of this chapter shall be construed to include any building on the same lot with any such tenement house and which is used for any of the purposes specified in section one hundred of this chapter.

Whenever, in this chapter, authority is conferred upon the [industrial commission], it shall also be deemed to include [its] deputies or a deputy acting under [its] direction. [C L 1909 v 3 Labor C 31 art 1 s 2 as amended by 1913 C 529, by 1914 C 512, and by 1915 C 650]

Court decision.—A factory is a structure or plant where something is made or manufactured from raw or partly wrought materials into forms suitable for use.—Shannahan *v.* Empire Engineering Corporation, 204 N. Y. 543 (1913).

BRICKYARDS, STREET RAILWAYS, AND RAILROADS[1]

HOURS OF LABOR

Ten hours a legal day's work in brickyards; compensation for overtime.—Ten hours, exclusive of the necessary time for meals, shall constitute a legal day's work in the making of brick in brickyards owned or operated by corporations. No corporation

[1] See court decisions on page 7.

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owning or operating such brickyard shall require employees to work more than ten hours in any one day, or to commence work before seven o'clock in the morning. But overwork and work prior to seven o'clock in the morning for extra compensation may be performed by agreement between employer and employee. [C L 1909 v 3 Labor C 31 art 2 s 5]

Ten hours a day including 30 minutes for meal time on street railways; exceptions; compensation for overtime.—Ten consecutive hours' labor, including one-half hour for dinner, shall constitute a day's labor in the operation of all street surface and elevated railroads, of whatever motive power, owned or operated by corporations in this State, whose main line of travel, or whose routes lie principally within the corporate limits of cities of the first and second class. No employee of any such corporation shall be permitted or allowed to work more than ten consecutive hours, including one-half hour for dinner, in any one day of twenty-four hours. In cases of accident or unavoidable delay, extra labor may be performed for extra compensation. [C L 1909 v 3 Labor C 31 art 2 s 6]

Ten hours a legal day's work on railroads; exceptions; period of rest after 16 hours' work for certain employees; exceptions; enforcement: powers of industrial commission.—Ten hours' labor, performed within twelve consecutive hours, shall constitute a legal day's labor in the operation of steam surface, electric, subway and elevated railroads operated within the State, except where the mileage system of running trains is in operation. No person or corporation operating any such railroad of thirty miles in length, or over, in whole or in part within this State, shall permit or require any conductor, engineer, fireman, trainman, motorman or assistant motorman, engaged in or connected with the movement of any train on any such railroad, to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such conductor, engineer, fireman, trainman, motorman or assistant motorman shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty, and no such conductor, engineer, fireman, trainman, motorman or assistant motorman who has been on duty sixteen hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty, except when by casualty occurring after he has started on his trip, and except when by accident or unexpected delay of trains scheduled to make connection with the train on which he is serving, he is prevented from reaching his terminal. The [industrial commission] shall appoint a sufficient number of inspectors to enforce the provisions of this section. [C L 1909 v 3 Labor C 31 art 2 s 7 as amended by 1913 C 462]

Eight hours a day for telegraph and telephone operators; two days' rest a month; exceptions; compensation for overtime; penalty.—The provisions of section seven of this chapter shall not be applicable to employees mentioned herein. It shall be unlawful for any corporation or receiver, operating a line of railroad, either surface, subway or elevated, in whole or in part in the State of New York, or any officer, agent or representative of such corporation or receiver to require or permit any telegraph or telephone operator who spaces trains by the use of the telegraph or telephone under what is known and termed the "block system" (defined as follows): Reporting trains to another office or offices or to a train dispatcher operating one or more trains under signals, and telegraph or telephone levermen who manipulate interlocking machines in railroad yards or on main tracks out on the lines or train dispatchers in its service whose duties substantially, as hereinbefore set forth, pertain to the movement of cars, engines or trains on its railroad by the use of the telegraph or telephone in dispatching or reporting trains or receiving or transmitting train orders as interpreted in this section, to be on duty for more than eight hours in a day of twenty-four hours, and it is hereby declared that eight hours shall constitute a day of employment for all laborers or employees engaged in the kind of labor aforesaid; except in cases of extraordinary emergency caused by accident, fire, flood or danger to life or property, and for each hour of labor so performed in any one day in excess of such eight hours, by any such employee, he shall be paid in addition at least one-eighth of his daily compensation. Any person who is employed as signalman, towerman, gateman, telegraph or telephone operator in a railroad signal tower or public railroad station to receive or transmit a telegraphic or telephonic message or train order for the movement of trains and who works eight hours or more in any twenty-four each and every day continuously, and all gatemen so employed must have at least two days of twenty-four hours each in every calendar month for rest with the regular compensation; subject to the foregoing provisions relating to extra service in cases of emergency. Any person or persons, company or corporation, who shall violate any of the provisions of this section,

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shall, on conviction, be fined in the sum of not less than one hundred dollars, and such fine shall be recovered by an action in the name of the State of New York, for the use of the State, which shall sue for it against such person, corporation or association violating this section, said suit to be instituted in any court in this State having appropriate jurisdiction. * * * The provisions of this section shall not apply to any part of a railroad where not more than eight regular passenger trains in twenty-four hours pass each way: *Provided moreover*, That where twenty freight trains pass each way generally in each twenty-four hours then the provisions of this section shall apply, notwithstanding that there may pass a less number of passenger trains than hereinbefore set forth, namely eight. [C L 1909 v 3 Labor C 31 art 2 s 8 as amended by 1913 C 466]

Court decision.—The provisions of the section of which this is an amendment, in so far as they attempted to regulate interstate commerce, were held unconstitutional because Congress had completely covered the field by the Federal hours-of-service act applying to interstate railroads.—Erie R. R. Co. *v.* People of the State of New York, 198 N. Y. 369, 233 U. S. 671 (1914). With reference to the provisions of this section, it was held that, in so far as they cover the same field or relate to the same subject, they are superseded by the Federal hours-of-service act.—People *v.* N. Y. Cent. & H. R. R. R. Co., 163 N. Y. App. Div. 79 (1914).

Penalty.—Any person or corporation:

1. Who, contracting with the State or a municipal corporation, shall require more than eight hours work for a day's labor; or,

2. Who shall require more than ten hours labor, including one-half hour for dinner, to be performed within twelve consecutive hours, by the employees of a street surface and elevated railway owned or operated by corporations whose main line of travel or routes lie principally within the corporate limits of cities of more than one hundred thousand inhabitants; or,

3. Who shall require the employees of a corporation owning or operating a brick-yard to work contrary to the requirements of section five of the labor law; or,

4. Who shall require or permit any employee engaged in or connected with the movement of any train of a corporation operating a line of railroad of thirty miles in length, or over, in whole or in part within this State, to remain on duty more than sixteen consecutive hours; or to require or permit any such employee who has been on duty sixteen consecutive hours to go on duty without having had at least ten hours off duty; or to require or permit any such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period, to continue on duty or to go on duty without having had at least eight hours off duty within such twenty-four hour period; except when by casualty occurring after such employee has started on his trip, or by unknown casualty occurring before he started on his trip, and except when by accident or unexpected delay of trains scheduled to make connection with the train on which such employee is serving, he is prevented from reaching his terminal;

Is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five hundred nor more than one thousand dollars for each offense. If any contractor with the State or a municipal corporation shall require more than eight hours for a day's labor, upon conviction therefor in addition to such fine, the contract shall be forfeited at the option of the municipal corporation. [C L 1909 v 4 Penal C 40 art 120 s 1271]

FACTORIES, MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

One day's rest in seven; exceptions; lists to be posted and time book required.—1. Every employer of labor engaged in carrying on any factory or mercantile establishment in this State shall allow every person, except those specified in subdivision two, and as otherwise herein provided, employed in such factory or mercantile establishment at least twenty-four consecutive hours of rest in every calendar week. No employer shall operate any such factory or mercantile establishment on Sunday unless he shall have complied with subdivision three: *Provided however*, That this section shall not authorize any work on Sunday not now or hereafter authorized by law.

2. This section shall not apply to

(a) Janitors;

(b) Watchmen;

(c) Employees whose duties include not more than three hours' work on Sunday in (1) setting sponges in bakeries; (2) caring for live animals; (3) maintaining fires; (4) necessary repairs to boilers or machinery.

(d) Superintendents or foremen in charge.

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(e) Employees engaged in the work of any industrial or manufacturing process necessarily continuous, in which no employee is permitted to work more than eight hours in any calendar day, except during period of shift or tour rotation, which shall not, however, be made oftener than once in each calendar week.

(f) Employees in dairies, creameries, milk condensaries, milk powder factories, milk sugar factories, milk shipping stations, butter and cheese factories, and milk bottling plants. Employees in ice cream manufacturing plants in which not more than seven persons are employed.

3. Before operating on Sunday, every employer shall post in a conspicuous place on the premises a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the [industrial commission]. The employer shall promptly file with the said [commission] a copy of every change in such schedule. No employee shall be required or allowed to work on the day of rest so designated for him.

4. Every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the [industrial commission].

5. If there shall be practical difficulties or unnecessary hardship in carrying out the provisions of this act, or rules or regulations adopted by the [industrial commission] thereunder, the [industrial commission] shall have power to make a variation from the requirements of this act, or any rule or regulation adopted by the [commission] thereunder, if the spirit of the act shall be observed and substantial justice done. If the [commission] shall permit such variation it shall be in the form of a resolution and such variation shall apply to all similar conditions when the facts are substantially the same as those under which such variation was granted. A majority vote shall be necessary for the adoption of any such resolution. Such resolution shall contain a description of the conditions under which such variation shall be permitted and shall be published in the manner provided for rules and regulations of the [commission]. A record of all such variations shall be kept in the offices of the [industrial commission] and shall be properly indexed and shall be open to public inspection during business hours. Existing exemptions under this act shall continue in force for the periods specified unless modified or rescinded by the [industrial commission]. [C L 1909 v 3 Labor C 31 art 2 s 8–a as added by 1913 C 740 and amended by 1914 C 388 and 396 and by 1915 C 321, 357, and 648]

Court decisions.—This section was held constitutional. Where a corporation failed to allow an employee 24 hours of rest in every seven consecutive days, it was guilty of a violation of this section.—People v. Niagara Falls Power Co., 149 N. Y. S. 45; People v. Klinck Packing Co., 149 N. Y. S. 504; People ex rel. Deutermann v. Doyle, 150 N. Y. S. 341 (1914).

FACTORIES, HOTELS, AND RESTAURANTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person employing females in a factory or as waitresses in a hotel or restaurant shall provide and maintain suitable seats, with proper backs where practicable, for the use of such female employees, and permit the use thereof by such employees to such an extent as may be reasonable for the preservation of their health. Where females are engaged in work which can be properly performed in a sitting posture, suitable seats, with backs where practicable, shall be supplied in every factory for the use of all such female employees and permitted to be used at such work. The [industrial commission] may determine when seats, with or without backs, are necessary and the number thereof. [C L 1909 v 3 Labor C 31 art 2 s 17 as amended by 1913 C 197]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties of industrial commission, etc.—The [industrial commission] shall enforce all the provisions of this article. [It] shall investigate complaints made to [it] of violations of such provisions and if [it] finds that such complaints are well founded [it] shall issue an order directed to the person or corporation complained of, requiring such person or corporation to comply with such provisions. If such order is disregarded the [industrial commission] shall present to the district attorney of the

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proper county all the facts ascertained by [said commission] in regard to the alleged violation, and all other papers, documents or evidence pertaining thereto, which [said commission] may have in [its] possession. The district attorney to whom such presentation is made shall proceed at once to prosecute the person or corporation for the violations complained of, pursuant to this chapter and the provisions of the penal law. If complaint is made to the [industrial commission] that any person contracting with the State or a municipal corporation for the performance of any public work fails to comply with or evades the provisions of this article respecting * * * the requirements of hours of labor * * * the [industrial commission] shall if [it] finds such complaints to be well founded, present evidence of such non-compliance to the officer, department or board having charge of such work. Such officer, department or board shall thereupon take the proper proceedings to revoke the contract of the person failing to comply with or evading such provisions. [C L 1909 v 3 Labor C 31 art 2 s 21]

ALL OCCUPATIONS

APPRENTICESHIP

Enforcement: duties of industrial commission.—The [industrial commission] shall enforce the provisions of the domestic relations law, relative to indenture of apprentices, and prosecute employers for failure to comply with the provisions of such indentures and of such law in relation thereto. [C L 1909 v 3 Labor C 31 art 5 s 67 as renumbered art 2 s 22 [1] by 1913 C 145]

HEALTH OF GIRLS

Physical examination of employees; misdemeanor.—Whenever an employer shall require a physical examination by a physician or surgeon as a condition of employment, the party to be examined, if a female, shall be entitled to have such examination before a physician or surgeon of her own sex. If an employer shall require or attempt to require a female applicant for employment to submit to an examination in violation of the provisions of this section, he shall be guilty of a misdemeanor.[2] [C L 1909 v 3 Labor C 31 art 2 s 22 [1] as added by 1913 C 320]

REGULATED OCCUPATIONS

ENFORCEMENT

Powers of industrial commission, factory inspectors, etc.; hindering inspectors, etc., prohibited.—1. The [industrialcommission], [its] deputies and their assistants and each agent, chief factory inspector, factory inspector, mine inspector, tunnel inspector, chief investigator, special investigator, chief mercantile inspector, and mercantile inspector may administer oaths and take affidavits in matters relating to the provisions of this chapter.

2. No person shall interfere with, obstruct or hinder by force or otherwise the [industrial commission], any member of the [industrial commission], or any officer, agent or employee of the [industrial commission] while in the performance of their duties, or refuse to properly answer questions asked by such officers or employees pertaining to the provisions of this chapter, or refuse them admittance to any place which is affected by the provisions of this chapter. * * * [C L 1909 v 3 Labor C 31 art 3 s 43 as amended by 1913 C 145]

Powers of industrial commission.—The [industrial commission] shall have power: (1) To make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this chapter and the rules and regulations made by the [commission] thereunder, and in the course of such investigations, each member of the [commission] and the secretary shall have power to administer oaths and take affidavits. Each member of the [commission] and the secretary shall have power to make personal inspections of all factories, factory buildings, mercantile establishments and other places to which this chapter is applicable.

(2) To subpoena and require the attendance in this State of witnesses and the production of books and papers pertinent to the investigations and inquiries hereby authorized and to examine them in relation to any matter which it has power to investigate, and to issue commissions for the examination of witnesses who are out of the State or unable to attend before the [commission] or excused from attendance.

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[1] Owing to the renumbering of section 67 there are now two sections numbered 22.

[2] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, Chapter 40, article 174, section 1937).

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(3) To make, alter, amend and repeal rules and regulations for carrying into effect the provisions of this chapter, applying such provisions to specific conditions and prescribing specific means, methods or practices to effectuate such provisions. * * * [C L 1909 v 3 Labor C 31 art 3–a s 51 as added by 1913 C 145]

Regulations of industrial commission.—The rules and regulations adopted by the [commission] pursuant to the provisions of this chapter shall have the force and effect of law and shall be enforced in the same manner as the provisions of this chapter. Such rules and regulations may apply in whole or in part to particular kinds of factories or workshops, or to particular machines, apparatus or articles; or to particular processes, industries, trades or occupations; and they may be limited in their application to factories or workshops to be established, or to machines, apparatus or other articles to be installed or provided in the future. * * * [C L 1909 v 3 Labor C 31 art 3–a s 52 as added by 1913 C 145]

Appointment of factory and mercantile inspectors.—1. Factory inspectors. There shall be not less than one hundred and twenty-five factory inspectors, not more than thirty of whom shall be women. Such inspectors shall be appointed by the [industrial commission] and may be removed by [it] at any time. * * *

2. Mercantile inspectors. The [industrial commission] may appoint from time to time not more than twenty mercantile inspectors not less than four of whom shall be women and who may be removed by [it] at any time. * * * [C L 1909 v 3 Labor C 31 art 4 s 54 as amended by 1913 C 145]

Duties and powers of industrial commission, factory inspectors, etc.—

* * * * * *

3. The [industrial commission] and [its] * * * assistants, and every factory inspector and every person duly authorized * * * may, in the discharge of his [or its] duties enter any place, building or room which is affected by the provisions of this chapter and may enter any factory whenever he [or it] may have reasonable cause to believe that any labor is being performed therein.

4. The [industrial commission] shall visit and inspect or cause to be visited and inspected the factories, during reasonable hours, as often as practicable, and shall cause the provisions of this chapter and the rules and regulations of the [industrial commission] to be enforced therein. * * * [C L 1909 v 3 Labor C 31 art 4 s 56 as amended by 1913 C 145]

Duties and powers of industrial commission, mercantile inspectors, etc.—

* * * * * *

3. The [industrial commission], the chief mercantile inspector and his assistant or assistants and every mercantile inspector or acting mercantile inspector may in the discharge of his [or its] duties enter any place, building or room in cities of the first or second class which is affected by the provisions of article twelve of this chapter, and may enter any mercantile or other establishment specified in said article, situated in the cities of the first or second class, whenever he [or it] may have reasonable cause to believe that it is affected by the provisions of article twelve of this chapter.

4. The [industrial commission] shall visit and inspect or cause to be visited and inspected the mercantile and other establishments specified in article twelve of this chapter situated in cities of the first and second class, as often as practicable, and shall cause the provisions of said article and the rules and regulations of the [industrial commission] to be enforced therein. * * * [C L 1909 v 3 Labor C 31 art 4 s 59 as amended by 1913 C 145]

Duties and powers of medical inspectors.—The inspectors of the sixth grade shall constitute the section of medical inspection which shall, subject to the supervision and direction of the director of the division of industrial hygiene, be under the immediate charge of the chief medical inspector. The section of medical inspection shall inspect factories, mercantile establishments and other places subject to the provisions of this chapter throughout the State with respect to conditions of work affecting the health of persons employed therein and shall have charge of the physical examination and medical supervision of all children employed therein and shall perform such other duties and render such other services as the [industrial commission] may direct. [C L 1909 v 3 Labor C 31 art 5 s 61 as amended by 1913 C 145]

EMPLOYMENT AGENCIES

Establishment.—The [industrial commission] shall establish such public employment offices, and such branch offices, as may be necessary to carry out the purpose of this article. [C L 1909 v 3 Labor C 31 art 5–a s 66–a as added by 1914 C 181]

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Purpose.—The purpose of such offices shall be to bring together all kinds and classes of workmen in search of employment and employers seeking labor. [C L 1909 v 3 Labor C 31 art 5–a s 66–b as added by 1914 C 181]

Separate departments for women and for children.—The [industrial commission] may organize in any office separate departments with separate entrances for men, women and juveniles; these departments may be subdivided into a division for farm labor and such other divisions for different classes of work as may in [its] judgment be required. [C L 1909 v 3 Labor C 31 art 5–a s 66–i as added by 1914 C 181]

Cooperation of school authorities in obtaining employment for children.—Applicants for employment who are between the ages of fourteen and eighteen years shall register upon special forms provided by the [industrial commission]. Such applicants upon securing their employment certificates as required by law, may be permitted to register at a public or other recognized school and when forms containing such applications are transmitted to a public employment office they shall be treated as equivalent to personal registration. The superintendent of each public employment office shall cooperate with the school principals in endeavoring to secure suitable positions for children who are leaving the schools to begin work. To this end he shall transmit to the school principals a sufficient number of application forms to enable all pupils to register who desire to do so; and such principals shall acquaint the teachers and pupils with the purpose of the public employment office in placing juveniles. The advisory committee shall appoint special committees on juvenile employment which shall include employers, workmen, and persons possessing experience or knowledge of education, or of other conditions affecting juveniles. It shall be the duty of these special committees to give advice with regard to the management of the public employment offices to which they are attached in regard to juvenile applicants for employment. Such committees may take steps either by themselves or in co-operation with other bodies or persons to give information, advice and assistance to boys and girls and their parents with respect to the choice of employment and other matters bearing thereon. [C L 1909 v 3 Labor C 31 art 5–a s 66–j as added by 1914 C 181]

Fees forbidden.—No fees direct or indirect shall in any case be charged to or received from those seeking the benefits of this article. [C L 1909 v 3 Labor C 31 art 5–a s 66–m as added by 1914 C 181]

Penalty for accepting fee.—Any superintendent or clerk, subordinate or appointee, appointed under this article, who shall accept directly or indirectly any fee, compensation or gratuity from any one seeking employment or labor under this article, shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars, or by imprisonment in jail for a term not exceeding six months, or both, and shall thereafter be disqualified from holding any office or position in such bureau. [C L 1909 v 3 Labor C 31 art 5–a s 66–n as added by 1914 C 181]

FACTORIES

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment under 14 prohibited; certificates required from 14 to 16; farm work excepted under certain conditions.—No child under the age of fourteen years shall be employed, permitted or suffered to work in or in connection with any factory in this State, or for any factory at any place in this State. No child between the ages of fourteen and sixteen years shall be so employed, permitted or suffered to work unless an employment certificate, issued as provided in this article, shall have been theretofore filed in the office of the employer at the place of employment of such child. Nothing herein contained shall prevent a person engaged in farming from permitting his children to do farm work for him upon his farm. Boys over the age of twelve years may be employed in gathering produce, for not more than six hours in any one day, subject to the requirements of chapter twenty-one of the laws of nineteen hundred and nine, entitled "An act relating to education, constituting chapter sixteen of the consolidated laws," and all acts amendatory thereof. [C L 1909 v 3 Labor C 31 art 6 s 70 as amended by 1913 C 529]

Court decisions.—Under a former section, of which this is an amendment, the following decisions were rendered: Violation is a misdemeanor and prima facie evidence of negligence on the part of the employer; and a child employed in violation of the statute does not assume the risk of such employment and cannot be held guilty of contributory negligence.—Marino *v.* Lehmaier, 173 N. Y. 530, 66 N. E. 572 (1901); Sitts *v.* Waiontha Co., 94 App. Div. 38 (1904); Lee *v.* Sterling Silk Mfg. Co., 115 App. Div. 589, 93 N. Y. S. 560 (1906); Fortune *v.* Hall, 122 App. Div. 250 (1906); Kenyon *v.* Sanford Mfg. Co., 119 App. Div. 570 (1907); Danaher *v.* American Mfg. Co., 126 App. Div. 385 (1908); Koester *v.* Rochester Candy Works, 194 N. Y. 92 (1909). The prohibition is absolute and ignorance of the child's age is no defense.—City of New York *v.* Chelsea Jute Mills, 43 Misc. 266, 88 N. Y. S. 1085 (1904). But an officer of a corporation who has directed that no child

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shall be employed contrary to law is not liable if a subordinate, without his knowledge, illegally employs a child.—People *v.* Taylor, 192 N. Y. 398 (1908). Where a girl, 15 years old, without an employment certificate, was injured by defects in machinery, the master was liable.—Crowley *v.* American Druggist Syndicate, 138 N. Y. S. 642, 152 App. Div. 775 (1912).

Opinion.—A child under 14 years of age may not be employed in a factory or mercantile establishment which is owned or controlled by the child's parents.—Attorney General (1912).

EMPLOYMENT CERTIFICATES AND RECORDS

Commissioner of health to issue certificates; age, school, and health records required; method of issuing.—Such certificate shall be issued by the commissioner of health or the executive officer of the board or department of health of the city, town or village where such child resides, or is to be employed, or by such other officer thereof as may be designated by such board, department or commissioner for that purpose, upon the application of the parent or guardian or custodian of the child desiring such employment. Such officer shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed, viz: The school record of such child properly filled out and signed as provided in this article; also, evidence of age showing that the child is fourteen years old or upwards, which shall consist of the evidence thereof provided in one of the following subdivisions of this section and which shall be required in the order herein designated as follows:

(a) Birth certificate: A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be conclusive evidence of the age of such child.

(b) Certificate of graduation: A certificate of graduation duly issued to such child showing that such child is a graduate of a public school of the State of New York or elsewhere, having a course of not less than eight years, or of a school in the State of New York other than a public school, having a substantially equivalent course of study of not less than eight years' duration, in which a record of the attendance of such child has been kept as required by article * * * [23] of the education law: *Provided*, That the record of such school shows such child to be at least fourteen years of age.

(c) Passport or baptismal certificate: A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

(d) Other documentary evidence: In case it shall appear to the satisfaction of the officer to whom application is made, as herein provided, for an employment certificate, that a child for whom such certificate is requested, and who has presented the school record, is in fact over fourteen years of age, and that satisfactory documentary evidence of age can be produced, which does not fall within any of the provisions of the preceding subdivisions of this section, and that none of the papers mentioned in said subdivisions can be produced, then and not otherwise he shall present to the board of health of which he is an officer or agent, for its action thereon, a statement signed by him showing such facts, together with such affidavits or papers as may have been produced before him constituting such evidence of the age of such child, and the board of health, at a regular meeting thereof, may then, by resolution, provide that such evidence of age shall be fully entered on the minutes of such board, and shall be received as sufficient evidence of the age of such child for the purpose of this section.

(e) Physicians' certificates: In cities of the first class only, in case application for the issuance of an employment certificate shall be made to such officer by a child's parent, guardian, or custodian who alleges his inability to produce any of the evidence of age specified in the preceding subdivisions of this section, and if the child is apparently at least fourteen years of age, such officer may receive and file an application signed by the parent, guardian or custodian of such child for physicians' certificates. Such application shall contain the alleged age, place and date of birth, and present residence of such child, together with such further facts as may be of assistance in determining the age of such child. Such application shall be filed for not less than ninety days after date of such application for such physicians' certificates, for an examination to be made of the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, then and not otherwise the officer may direct such child to appear thereafter for physical examination before two physicians officially designated by the board of health, and in case such physicians shall certify in writing that they have separately examined such child and that in their opinion such child is at least fourteen years of age such officer shall accept such certificates as sufficient proof of the age of such child for the purposes of this section. In case the opinions of such physicians do not concur, the child shall be examined by a third physician and the concur-

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ring opinions shall be conclusive for the purpose of this section as to the age of the child.

Such officer shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, place and date of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child further has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. In every case, before an employment certificate is issued, such physical fitness shall be determined by a medical officer of the department or board of health, who shall make a thorough physical examination of the child and record the result thereof on a blank to be furnished for the purpose by the State [industrial commission] and shall set forth thereon such facts concerning the physical condition and history of the child as the [industrial commission] may require. [C L 1909 v 3 Labor C 31 art 6 s 71 as amended by 1912 C 333]

Court decision.—Employment of a child between 14 and 16 in violation of the two preceding sections is negligence. The child can not be guilty of contributory negligence or assume the risks of employment.—Dragotto *v.* Plunkett, 99 N. Y. 361, 113 App. Div. 648 (1906).

Opinion.—The requirement of an examination as to physical fitness is of State-wide application and is not limited to cities of the first class. Attorney General (1912).

Contents of certificate.—Such certificate shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the papers required by the preceding section have been duly examined, approved and filed and that the child named in such certificate has appeared before the officer signing the certificate and been examined. [C L 1909 v 3 Labor C 31 art 6 s 72]

Contents of school record; educational requirements.—The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto or to the board, department or commissioner of health. It shall contain a statement certifying that the child has regularly attended the public schools or schools equivalent thereto, or parochial schools, for not less than one hundred and thirty days during the twelve months next preceding his fourteenth birthday, or during the twelve months next preceding his application for such school record and is able to read and write simple sentences in the English language, and has received during such period instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions and has completed the work prescribed for the first six years of the public elementary school or school equivalent thereto or parochial school from which such school record is issued. Such school record shall also give the date of birth and residence of the child as shown on the records of the school and the name of its parent or guardian or custodian. [C L 1909 v 3 Labor C 31 art 6 s 73 as amended by 1913 C 144]

Enforcement: duties and powers of industrial commission; list of certificates to be sent to industrial commission; blank certificates, etc.—The board or department of health or health commissioner of a city, village or town, shall transmit, between the first and tenth day of each month, to the [industrial commission], a list of the names of all children to whom certificates have been issued during the preceding month together with a duplicate of the record of every examination as to the physical fitness, including examinations resulting in rejection. In cities of the first and second class all employment certificates and school records required under the provisions of this chapter shall be in such form as shall be approved by the [industrial commission]. In towns, villages or cities other than cities of the first or second class, the [industrial commission] shall prepare and furnish blank forms for such employment certificates and school

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records. No school record or employment certificate required by this article, other than those approved or furnished by the [industrial commission] as above provided, shall be used. The [industrial commission] shall inquire into the administration and enforcement of the provisions of this article by all public officers charged with the duty of issuing employment certificates, and for that purpose the [industrial commission] shall have access to all papers and records required to be kept by all such officers. [C L 1909 v 3 Labor C 31 art 6 s 75 as amended by 1913 C 144]

Lists required under 16; certificates to be returned to child or parent; evidence of age may be required for child apparently under 16; false statement a misdemeanor; evidence of illegal employment.—Each person owning or operating a factory and employing children therein shall keep, or cause to be kept in the office of such factory, a register, in which shall be recorded the name, birthplace, age and place of residence of all children so employed under the age of sixteen years. Such register and the certificate filed in such office shall be produced for inspection upon the demand of the [industrial commission]. On termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith surrendered by the employer to the child or its parent or guardian or custodian. The [industrial commission] may make demand on any employer in whose factory a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this article, that such employer shall either furnish [it] within ten days, evidence satisfactory to [it] that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such factory. The [industrial commission] may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. A notice embodying such demand may be served on such employer personally or may be sent by mail addressed to him at said factory, and if served by post shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post. When the employer is a corporation such notice may be served either personally upon an officer of such corporation, or by sending it by post addressed to the office or the principal place of business of such corporation. The papers constituting such evidence of age furnished by the employer in response to such demand shall be filed with the [industrial commssion] and a material false statement made in any such paper or affidavit by any person, shall be a misdemeanor.[1] In case such employer shall fail to produce and deliver to the [industrial commission] within ten days after such demand such evidence of age herein required by [it], and shall thereafter continue to employ such child or permit or suffer such child to work in such factory, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this article that such child is under sixteen years of age and is unlawfully employed. [C L 1909 v 3 Labor C 31 art 6 s 76]

Certificates of physical fitness may be required from 14 to 16; revocation of employment certificates.—1. All children between fourteen and sixteen years of age employed in factories shall submit to a physical examination whenever required by a medical inspector of the State [industrial commission]. The result of all such physical examinations shall be recorded on blanks furnished for that purpose by the [industrial commission], and shall be kept on file in such office or offices of the [commission] as the [industrial commission] may designate.

2. If any such child shall fail to submit to such physical examination, the [industrial commission] may issue an order canceling such child's employment certificate. Such order shall be served upon the employer of such child who shall forthwith deliver to an authorized representative of the [industrial commission] the child's employment certificate. A certified copy of the order of cancellation shall be served on the board of health or other local authority that issued the said certificate. No such child whose employment certificate has been canceled, as aforesaid, shall, while said cancellation remains unrevoked, be permitted or suffered to work in any factory of the State before it attains the age of sixteen years. If thereafter such child shall submit to the physical examination required, the [industrial commission] may issue an order revoking the cancellation of the employment certificate and may return the employment certificate to such child. Copies of the order of revocation shall be served upon the former employer of the child and the local board of health as aforesaid.

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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3. If as a result of the physical examination made by a medical inspector it appears that the child is physically unfit to be employed in a factory, such medical inspector shall forthwith submit a report to that effect to the [industrial commission] which shall be kept on file in the office of the [industrial commission], setting forth in detail his reasons therefor, and the [industrial commission] may issue an order canceling the employment certificate of such child. Such order of cancellation shall be served, and the child's employment certificate delivered up, as provided in subdivision two hereof, and no such child while the said order of cancellation remains unrevoked shall be permitted or suffered to work in any factory of the State before it attains the age of sixteen years. If upon a subsequent physical examination of the child by a medical inspector of the [industrial commission] it appears that the physical infirmities have been removed, such medical inspector shall certify to that effect to the [industrial commission], and the [industrial commission] may thereupon make an order revoking the cancellation of the employment certificate and may return the certificate to such child. The order of revocation shall be served in the manner provided in subdivision two hereof. [C L 1909 v 3 Labor C 31 art 6 s 76–a as added by 1913 C 200]

HOURS OF LABOR

Eight hours a day, 6 days a week, and night work prohibited, under 16; 9 hours a day, 54 a week, 6 days a week, and night work prohibited, for boys under 18 and girls of any age; hours to be posted; evidence of violation; time book required under certain conditions.— 1. No child under the age of sixteen years shall be employed or permitted to work in or in connection with any factory in this State before eight o'clock in the morning, or after five o'clock in the evening of any day, or for more than eight hours in any one day, or more than six days in any one week.

2. No male minor under the age of eighteen years shall be employed or permitted to work in any factory in this State more than six days or fifty-four hours in any one week, or for more than nine hours in any one day, except as hereinafter provided; nor between the hours of twelve midnight and four o'clock in the morning.

3. No female minor under the age of twenty-one years and no woman shall be employed or permitted to work in any factory in this State more than six days or fifty-four hours in any one week; nor for more than nine hours in any one day except as hereinafter provided. No female minor under the age of twenty-one years shall be employed or permitted to work in any factory in this State before six o'clock in the morning or after nine o'clock in the evening of any day.

4. A printed notice, in a form which shall be furnished by the [industrial commission], stating the number of hours per day for each day of the week required of such persons, and the time when such work shall begin and end, shall be kept posted in a conspicuous place in each room where they are employed. But such persons may begin their work after the time for beginning and stop before the time for ending such work, mentioned in such notice, but they shall not otherwise be employed, permitted or suffered to work in such factory except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the [industrial commission]. The presence of such persons in the factory at any other hours than those stated in the printed notice, or if no such notice be posted, before seven o'clock in the morning or after six o'clock in the evening, shall constitute prima facie evidence of a violation of this section.

5. In a factory wherein, owing to the nature of the work, it is practically impossible to fix the hours of labor weekly in advance the [industrial commissiom], upon a proper application stating facts showing the necessity therefor, shall grant a permit dispensing with the notice hereinbefore required, upon condition that the daily hours of labor be posted for the information of employees and that a time book in a form to be approved by him, giving the names and addresses of all female employees and the hours worked by each of them in each day, shall be properly and correctly kept, and shall be exhibited to [said commission] or any of [its] subordinates promptly upon demand. Such permit shall be kept posted in such place in such factory as such [commission] may prescribe, and may be revoked by such [commission] at any time for failure to post it or the daily hours of labor or to keep or exhibit such time book as herein provided.

6. Where a female or male minor is employed in two or more factories or mercantile establishments in the same day or week the total time of employment must not exceed that allowed per day or week in a single factory or mercantile establishment; and any person who shall require or permit a female to work in a factory between the hours of six o'clock in the evening and seven o'clock in the morning in violation of the provi-

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sions of this subdivision of this section, with or without knowledge of the previous or other employment, shall be liable for a violation thereof. [C L 1909 v 3 Labor C 31 art 6 s 77 as amended by 1912 C 539 and by 1913 C 465]

Court decisions.—The limitation of the working hours of women to fifty-four per week is constitutional.—People *v.* Kane, 139 N. Y. S. 350, 79 Misc. 140 (1913).

The prohibition of the employment of women over 21 years of age between the hours of 6 p. m. and 7 a. m. was held unconstitutional.—People *v.* Williams, 189 N. Y. 131, 81 N. E. 778 (1907). But a similar law (C L 1909 v 3 Labor C 31 art 6 s 93–b as added by 1913 C 83) was held constitutional.—State *v.* Schweinler, 148 N. Y. S. 725 (1914).

NOTE.—[For prohibition of night work for girls of any age, see section 93–b, article 6, chapter 31, volume 3, Labor, Consolidated Laws, as added by Acts of 1913, chapter 83]

Ten hours a day, 54 a week, for boys from 16 to 18 and girls over 16 under certain conditions; establishments canning perishable fruits, etc., exempted for boys over 16 and girls over 18 from certain provisions; hours to be posted and time book required.—1. A female sixteen years of age or upwards and a male between the ages of sixteen and eighteen may be employed in a factory more than nine hours a day: (a) Regularly in not to to exceed five days a week, in order to make a short day or holiday on one of the six working days of the week; (b) irregularly in not to exceed three days a week: *Provided*, That no such person shall be required or permitted to work more than ten hours in any one day or more than fifty-four hours in any one week, and that the provisions of the preceding section as to notice or time book be fully complied with.

2. The provisions of subdivision two of section seventy-seven relating to maximum hours shall not apply to the employment of male minors sixteen years of age and upwards in canning or preserving perishable products in fruit and canning establishments between the fifteenth day of June and the fifteenth day of October each year.

3. A female eighteen years of age or upwards may, notwithstanding the provisions of subdivision three of section seventy-seven of this chapter, be employed in canning or preserving perishable products in fruit and canning establishments between the fifteenth day of June and the fifteenth day of October in each year not more than six days or sixty hours in any one week nor more than ten hours in any one day; and the [industrial commission] shall have power to adopt rules and regulations permitting the employment of women eighteen years of age and upwards on such work in such establishments between the twenty-fifth day of June and the fifth day of August in each year not more than six days nor more than sixty-six hours in any one week nor more than twelve hours in any one day, if said [commission] shall find that such employment is required by the needs of such industry and can be permitted without serious injury to the health of women so employed. The provisions of this subdivision shall have no application unless the daily hours of labor shall be posted for the information of employees and a time book in a form approved by the [industrial commission], giving the names and addresses of all female employees and the hours of work by each of them in each day shall be properly and correctly kept and shall be exhibited to [said commission] or any of [its] subordinates promptly upon demand. No person shall knowingly make or permit or suffer to be made a false entry in any such time book.

4. In a prosecution for a violation of any provision of this or of the preceding section the burden of proving a permit or exception shall be upon the party claiming it. [C L 1909 v 3 Labor C 31 art 6 s 78 as amended by 1912 C 539 and by 1913 C 465]

TOILETS, DRESSING ROOMS, ETC., FOR GIRLS

Separate washrooms for the sexes; dressing rooms where women are employed.—

* * * * * * *

2. In every factory there shall be provided and maintained for the use of employees suitable and convenient washrooms, separate for each sex, adequately equipped with washing facilities consisting of sinks or stationary basins provided with running water or with tanks holding an adequate supply of clean water. * * *

3. Where females are employed the person operating the factory shall provide dressing or emergency rooms for their use; each such room shall have at least one window opening to the outer air and shall be enclosed by means of solid partitions or walls. In every factory in which more than ten women are employed there shall be provided one or more separate dressing rooms in such numbers as required by the rules and regulations of the [industrial commission] and located in such place or places as required by such rules and regulations, having an adequate floor space in proportion to the number of employees, to be fixed by the rules and regulations of the [industrial commission]. * * * [C L 1909 v 3 Labor C 31 art 6 s 88 as amended by 1913 C 340 and by 1914 C 366]

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Separate toilets for the sexes.—1. In every factory there shall be provided suitable and convenient water-closets separate for each sex, in such number and located in such place or places as required by the rules and regulations of the [industrial commission]. All water-closets shall be maintained inside the factory except where, in the opinion of the [industrial commission], it is impracticable to do so.

2. There shall be separate water-closet compartments for females, to be used by them exclusively, and notice to that effect shall be painted on the outside of such compartments. The entrance to every water-closet used by females shall be effectively screened by a partition or vestibule. Where water-closets for males and females are in adjoining compartments, there shall be solid plastered or metal covered partitions between the compartments extending from the floor to the ceiling. Whenever any water-closet compartments open directly into the workroom exposing the interior, they shall be screened from view by a partition or a vestibule. The use of curtains for screening purposes is prohibited. * * * [C L 1909 v 3 Labor C 31 art 6 s 88-a as added by 1913 C 340]

HOURS OF LABOR

Time for meals required; exceptions.—In each factory at least sixty minutes shall be allowed for the noonday meal, unless the [industrial commission] shall permit a shorter time. Such permit must be in writing and conspicuously posted in the main entrance of the factory, and may be revoked at any time. Where employees are required or permitted to work overtime for more than one hour after six o'clock in the evening, they shall be allowed at least twenty minutes to obtain a lunch, before beginning to work overtime. [C L 1909 v 3 Labor C 31 art 6 s 89]

ALL REGULATED OCCUPATIONS

APPLICATION OF ACT

Laundry work.—A shop, room or building where one or more persons are employed in doing public laundry work by way of trade or for purposes of gain is a factory within the meaning of this chapter, and shall be subject to the visitation and inspection of the [industrial commission] and the provisions of this chapter in the same manner as any other factory. * * * This section shall not apply to any female engaged in doing custom laundry work at her home for a regular family trade. [C L 1909 v 3 Labor C 31 art 6 s 92]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, places where alcoholic liquors are manufactured, etc.; constant standing prohibited for girls under 16; employment under 18 prohibited on certain elevators; cleaning machinery in motion prohibited for boys under 18 and girls under 21; other occupations prohibited for boys under 18 and girls of any age; industrial commission may prohibit employment in other occupations.—1. No child under the age of sixteen years shall be employed or permitted to work in operating or assisting in operating any of the following machines: Circular or band saws, woodshapers, woodjointers, planers, sandpaper or wood polishing machinery; picker machines or machines used in picking wool, cotton, hair or any upholstery material; paper lace machines; burnishing machines in any tannery or leather manufactory; job or cylinder printing presses having motive power other than foot; wood-turning or boring machinery; drill presses; metal or paper cutting machines; corner staying machines in paper box factories; stamping machines used in sheet metal and tinware manufacturing or in washer and nut factories; machines used in making corrugating rolls; steam boilers; dough brakes or cracker machinery of any description; wire or iron straightening machinery; rolling mill machinery; power punches or shears; washing, grinding or mixing machinery; calendar [calender] rolls in rubber manufacturing; or laundering machinery; or in operating or assisting in operating any other machines or machinery which may be found by the [industrial commission] to be dangerous and specified as such from time to time in rules and regulations adopted by such [commission].

2. No child under the age of sixteen years shall be employed or permitted to work at adjusting or assisting in adjusting any belt to any machinery, oiling or assisting in oiling, wiping or cleaning machinery; or in any capacity in preparing any composi-

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tion in which dangerous or poisonous acids are used; or in the manufacture or packing of paints, dry colors, or red or white lead; or dipping or dyeing [drying] matches; or in the manufacture, packing or storing of powder, dynamite, nitroglycerin, compounds, fuses, or other explosives; or in or about any distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, or bottled; and no female under the age of sixteen shall be employed or permitted to work in any capacity where such employment compels her to remain standing constantly. No child under the age of sixteen years shall be employed or permitted to have the care, custody or management of or to operate an elevator either for freight or passengers. No person under the age of eighteen years shall be employed or permitted to have the care, custody or management of or to operate an elevator either for freight or passengers running at a speed of over two hundred feet a minute. No male person under eighteen years or woman under twenty-one years of age shall be permitted or directed to clean machinery while in motion. No male child under the age of eighteen years, nor any female, shall be employed in any factory in this State in operating or using any emery, tripoli, rouge, corundum, stone, carborundum or any abrasive, or emery polishing or buffing wheel, where articles of the baser metals or of iridium are manufactured.

3. In addition to the cases provided for in the foregoing subdivisions, the [industrial commission], when as a result of its investigations it finds that any particular trade, process of manufacture, or occupation, or particular method of carrying on any trade, process of manufacture, or occupation, is dangerous or injurious to the health of minors under eighteen years of age employed therein, shall have power to adopt rules and regulations prohibiting or regulating the employment of such minors therein.

4. No female shall be employed or permitted to work in any brass, iron or steel foundry, at or in connection with the making of cores where the oven in which the cores are baked is located and is in operation in the same room or space in which the cores are made. The erection of a partition separating the oven from the space where the cores are made shall not be sufficient unless the said partition extends from the floor to the ceiling, and the partition is so constructed and arranged, and any openings therein so protected that the gases and fumes from the core oven will not enter the room or space in which the women are employed. The [industrial commission] shall have power to adopt rules and regulations regulating the construction, equipment, maintenance and operation of core rooms and the size and weight of cores that may be handled by women, so as to protect the health and safety of women employed in core rooms. [C L 1909 v 3 Labor C 31 art 6 s 93 as amended by 1910 C 107 and by 1913 C 464]

Court decisions.—Under a former section of which this is an amendment it was held that attending a machine for conveying articles from one floor to another is operating dangerous machinery.—Gallenkamp *v.* Garvin Mach. Co., 179 N. Y. 588, 72 N. E. 1142 (1904). Employment of a girl under 16 in operating dangerous machinery was held to be evidence of negligence of the employer.—Regling *v.* Lehmaier, 98 N.Y. S. 642 (1906).

FACTORIES

HOURS OF LABOR

Night work prohibited for girls of any age.—In order to protect the health and morals of females employed in factories by providing an adequate period of rest at night no woman shall be employed or permitted to work in any factory in this State before six o'clock in the morning or after ten o'clock in the evening of any day. [C L 1909 v 3 Labor C 31 art 6 s 93-b as added by 1913 C 83]

Court decisions.—This section is constitutional.—People *v.* Charles Schweinler Press, 108 N. E. 639, 214 N. Y. 395; People ex rel. Krohn *v.* Warden and Keeper of City Prison, 152 N. Y. S. 1136 (1915).

ENFORCEMENT

Application of act.—The word "custodian" as used in this article shall include any person, organization or society having the custody of a child. [C L 1909 v 3 Labor C 31 art 6 s 96]

Copies of laws to be posted.—Copies or digests of the provisions of this chapter and of the rules and regulations of the [industrial commission], applicable thereto, in English and in such other languages as the [industrial commission] may require, to be prepared and furnished by the [industrial commission], shall be kept posted by the employer in such conspicuous place or places as the [industrial commission] may direct on each floor of every factory where persons are employed who are affected by the provisions thereof. [C L 1909 v 3 Labor C 31 art 6 s 99-a as amended and renumbered by 1913 C 145]

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MINIMUM AGE

Employment under 14 prohibited in tenement-house manufactories; license required for such establishments; exceptions; revocation of license.—1. No tenement house nor any part thereof shall be used for the purpose of manufacturing, altering, repairing or finishing therein, any articles whatsoever except for the sole and exclusive use of the person so using any part of such tenement house or the members of his household, without a license therefor as provided in this article. But nothing herein contained shall apply to collars, cuffs, shirts or shirt waists made of cotton or linen fabrics that are subjected to the laundrying process before being offered for sale.

* * * * * * *

4. Such license may be revoked by the [industrial commission] * * * if children are employed therein in violation of section seventy of this chapter. In every case where a license is revoked or denied by the [industrial commission] the reasons therefor shall be stated in writing, and the records of such revocation or denial shall be deemed public records. Where a license is revoked, before such tenement house can again be used for the purposes specified in this section, a new license must be obtained, as if no license had previously existed.

* * * * * * *

6. * * * No articles shall be manufactured, altered, repaired or finished in any room or apartment of a tenement house unless said room or apartment shall be well lighted and ventilated and shall contain at least five hundred cubic feet of air space for every person working therein, or by any person other than the members of the family living therein; except that in licensed tenement houses persons not members of the family may be employed in apartments on the ground floor or second floor, used only for shops of dressmakers who deal solely in the custom trade direct to the consumer: *Provided*, That such apartments shall be in the opinion of the [industrial commission] in the highest degree sanitary, well lighted, well ventilated and plumbed: *And provided further*, That the whole number of persons therein shall not exceed one to each one thousand cubic feet of air space, and that there shall be no children under fourteen years of age living or working therein; before any such room or apartment can be so used a special permit therefor shall be issued by the [industrial commission], a copy of which shall be entered in [its] public records with a statement of the reasons therefor. * * * [C L 1909 v 3 Labor C 31 art 7 s 100 as amended by 1913 C 260]

Enforcement: permits required for these establishments; method of issuing and revocation.—The owner of every factory for which any articles are manufactured in any tenement house shall secure a permit therefor from the [industrial commission] who shall issue such permit to any such owner applying therefor. Such permit may be revoked or suspended by the [industrial commission] whenever any provision of this article or of section seventy of this chapter is violated in connection with any work for such factory. Such permit may be reissued or reinstated in the discretion of the [commission] when such violation has ceased. No articles shall be manufactured in any tenement house for any factory for which no permit has been issued or for any factory whose permit is suspended or revoked. A complete list of all factories holding such permits, together with the name of the owner of each such factory, the address of the business and the name under which it is carried on, and of all tenement houses holding licenses, and a list of all permits and licenses revoked or suspended shall be published from time to time by the [industrial commission]. [C L 1909 v 3 Labor C 31 art 7 s 106 as added by 1913 C 260]

ALL REGULATED OCCUPATIONS

APPLICATION OF ACT

Bakeries.—* * * Bakeries are factories within the meaning of this chapter and are subject to the provision of article six thereof. [C L 1909 v 3 Labor C 31 art 8 s 111 as amended by 1913 C 463]

MINES, ETC.

MINIMUM AGE

Employment of boys under 16 and girls of any age prohibited.—No child under sixteen years of age shall be employed, permitted or suffered to work in or in connection with any mine or quarry in this State. No female shall be employed, permitted or

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suffered to work in any mine or quarry in this State. [C L 1909 v 3 Labor C 31 art 9 s 131]

Enforcement: duties and powers of industrial commission.—The [industrial commission] may serve a written notice upon the owner, agent, manager or lessee of a mine or tunnel requiring him to comply with a specified provision of this article. The [industrial commission] shall begin an action in the supreme court to enforce compliance with such provision; and upon such notice as the court directs, an order may be granted, restraining the working of such mine or tunnel during such time as may be therein specified. [C L 1909 v 3 Labor C 31 art 9 s 135]

Enforcement: inspection.—The owner, agent, manager or lessee of a mine or tunnel, at any time, either day or night, shall admit to such mine or tunnel, or any building used in the operation thereof, the [industrial commission] or any qualified person duly authorized by [it], for the purpose of making the examinations and inspections necessary for the enforcement of this article, and shall render any necessary assistance for such inspection. [C L 1909 v 3 Labor C 31 art 9 s 136]

Penalty.—A person: 1. Refusing to admit the [industrial commission], or any person authorized by [it], to a mine, tunnel or quarry, and to each and every part thereof, for the purpose of examination and inspection; or, 2. Neglecting or refusing to comply with the provisions of article nine of the labor law upon written notice of the [industrial commission], is guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days. [C L 1909 v 4 Penal C 40 art 120 s 1270]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement: lists of alien children to be procured by industrial commission.—

* * * * * * *

The [industrial commission] shall procure with the consent of the Federal authorities complete lists giving the names, ages, and destination within the State of all alien children of school age, and such other facts as will tend to identify them, and shall forthwith deliver copies of such lists to the commissioner of education or the several boards of education and school boards in the respective localities within the State to which said children shall be destined, to aid in the enforcement of the provisions of the education law relative to the compulsory attendance at school of children of school age. [C L 1909 v 3 Labor C 31 art 11 (as renumbered by 1913 C 145) s 153 subdivision 2 as added by 1910 C 514 and amended by 1912 C 543]

MERCANTILE ESTABLISHMENTS, THEATERS, STREET TRADES, MESSENGERS, ETC.

APPLICATION OF ACT

Certain cities.—The provisions of this article shall apply to all villages and cities which at the la t preceding State enumeration had a population of three thousand or more. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 160]

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, under 16; 9 hours a day, 54 a week, 6 days a week, and night work prohibited, for girls over 16 in mercantile establishments except 7 days before Christmas; other exceptions; time for meals required.—1. No child under the age of sixteen years shall be employed, permitted or suffered to work in or in connection with any mercantile establishment, business office, telegraph office, restaurant, hotel, apartment house, theater or other place of amusement, bowling alley, barber shop, shoe-polishing establishment, or in the distribution or transmission of merchandise, articles or messages, or in the distribution or sale of articles more than six days or forty-eight hours in any one week, or more than eight hours in any one day, or before eight o'clock in the morning or after six o'clock in the evening of any day. The foregoing provision shall not apply to any employment prohibited or regulated by section four hundred and eighty-five of the penal law.

2. No female employee over the age of sixteen years shall be required, permitted or suffered to work in or in connection with any mercantile establishment more than six days or fifty-four hours in any one week, or more than nine hours in any one day,

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unless for the purpose of making a shorter workday of some one day of the week, except that one day in each week may be longer than nine hours for the purpose of making one or more shorter work days in the week; or before seven o'clock in the morning or after ten o'clock in the evening of any day. This section does not apply to the employment of persons sixteen years of age or upward between the eighteenth day of December and the following twenty-fourth day of December, both inclusive, or to such employment for two additional days at any time during the year for the purpose of stock taking.

3. Not less than forty-five minutes shall be allowed for the noonday meal of the employees of any establishment specified in subdivision one hereof, unless the [industrial commission] shall permit a shorter time. Such permit shall be kept conspicuously posted in the main entrance of the establishment, but it may be revoked at any time. Whenever any employee is employed or permitted to work after seven o'clock in the evening, such employee shall be allowed at least twenty minutes to obtain lunch or supper between five and seven o'clock in the evening. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 161 as amended by 1914 C 331 and by 1915 C 386

Opinion.—The section does not permit the shortening of more than one day in order to lengthen some one day.—Attorney General (1913).

Hours to be posted.—A printed notice, in a form which shall be furnished by the [industrial commission], stating the number of hours per day for each day of the week required of employees enumerated in section one hundred and sixty-one, and the time when their work shall begin and end, shall be kept posted in a conspicuous place in each room where they are employed. Such employees may begin their work after the time for beginning and stop before the time for ending such work, mentioned in such notice, but they shall not otherwise be employed, permitted or suffered to work in such mercantile establishments except as stated therein. The terms of such notice shall not be changed after the beginning of labor on the first day of the week without the consent of the [industrial commission]. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 161-a[1] as added by 1915 C 386]

Night work prohibited for messengers under 21 in certain cities.—In cities of the first or second class no person under the age of twenty-one years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 161-a[2] as added by 1910 C 342]

PERMITS AND BADGES

Permits and badges required for boys from 12 to 14 for employment in distributing or carrying newspapers during certain hours and over 14 during certain other hours; school authorities to issue permits and badges; age, school, and health records required; method of issuing and contents of permits.—Upon obtaining a permit and badge as provided by this section, a male child over twelve years of age between the close of school and six-thirty o'clock in the afternoon and a male child over fourteen years of age between five-thirty and eight o'clock in the morning may be employed to carry and distribute newspapers on a newspaper route in a city or village, if no other work or employment be required or permitted to be done by any such child during that time. The badge or permit required by this section shall be issued to such child by the district superintendent or the board of education of the city or village and school district where such child resides, or by such other officer thereof as may be officially designated by such board for that purpose, on the application of the parent, guardian or other person having the custody of the child desiring such permit and badge, or in case such child has no parent, guardian or custodian then on the application of his next friend, being an adult. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and placed on file in his office satisfactory proof that such male child is of the age prescribed by this section, and shall also have received, examined and placed on file the written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school, that he is of the normal development of a child of his age and physically fit for such employment, and that

[1] Owing to the addition of this section there are now two sections numbered 161-a.
[2] Owing to the addition made by chapter 386 of the Acts of 1915 there are now two sections numbered 161-a.

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such principal or chief executive officer approves the granting of a permit and badge to such child. No such permit or badge shall be valid for any purpose except during the period in which such proof and written statement shall remain on file, nor shall such permit or badge be authority beyond the period fixed therein for its duration. After having received, examined and placed on file such papers the officer shall issue to the child a permit and badge. Such permit shall state the date and place of birth of the child, the name and address of its parent, guardian, custodian or next friend, as the case may be, and describe the color of hair and eyes, the height and weight and any distinguishing facial mark of such child, and shall further state that the papers required by this section have been duly examined and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding with the number of the permit, and the name of the child. Every such permit, and every such badge on its reverse side, shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. The badge provided for herein shall be worn conspicuously at all times by such child while so working; and all such permits and badges shall expire annually on the first day of January. The color of the badge shall be changed each year. No child to whom such permit and badge are issued shall transfer the same to any other person nor be engaged in any city or village in distributing newspapers without having conspicuously upon his person such badge, and he shall exhibit the same upon demand at any time to any police or attendance officer. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 161–b as added by 1914 C 21]

MINIMUM AGE AND EMPLOYMENT CERTIFICATES AND RECORDS

Employment under 14 prohibited; certificates required from 14 to 16.—No child under the age of fourteen years shall be employed or permitted to work in or in connection with any mercantile or other business or establishment specified in the preceding section. No child under the age of sixteen years shall be so employed or permitted to work unless an employment certificate, issued as provided in this article, shall have been theretofore filed in the office of the employer at the place of employment of such child. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 162 as amended by 1911 C 866]

Commissioner of health to issue certificates; age, school, and health records required; method of issuing.—[This section is practically identical with section 71, article 6 of this chapter.] [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 163 as amended by 1913 C 144]

Contents of certificates.—[This section is practically identical with section 72, article 6 of this chapter.] [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 164]

Contents of school records; educational requirements.—[This section is practically identical with section 73, article 6 of this chapter.] [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 165 as amended by 1913 C 144]

Enforcement: duties and powers of industrial commission; lists of certificates to be sent to industrial commission; blank certificates, etc.—[This section is practically identical with section 75, article 6 of this chapter.] [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 166 as added by 1913 C 144]

Lists required under 16; certificates to be returned to child or parent; evidence of age may be required for child apparently under 16; false statement a misdemeanor; evidence of illegal employment.—[This section is practically identical with section 76, article 6 of this chapter except that in section 76 the provisions are enforced by the [industrial commission] and in this section by the [industrial commission] in cities of the first and second classes and by the health officers in other cities, villages, etc.] [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 167 as amended by 1913 C 145]

MERCANTILE ESTABLISHMENTS

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate washrooms for the sexes.—In every mercantile establishment there shall be provided and maintained for the use of employees adequate and convenient washrooms, or washing facilities. Such washing facilities * * * shall be separate for each sex wherever required by the rules of the [industrial commission]. Every washroom shall be provided with adequate means of ventilation and heating and artificial illumination. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 168–c as added by 1914 C 183]

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Dressing rooms to be provided where 5 or more women are employed.—In every mercantile establishment where more than five women are employed a sufficient number of dressing rooms conveniently located shall be provided for their use. Each dressing room shall be properly ventilated by a window or by suitable ducts leading to the outer air and shall be inclosed by partitions or walls. * * * [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 168–d as added by 1914 C 183]

Separate toilets for the sexes.—

* * * * * * *

2. There shall be separate water-closet compartments or toilet rooms for females, to be used by them exclusively, and notice to that effect shall be clearly marked at the entrance of such compartments or rooms. The entrance to every water-closet shall be effectively screened by a partition or vestibule. Where water-closets for males and females are in adjoining compartments or toilet rooms, there shall be partitions of substantial construction between the compartments or rooms extending from the floor to the ceiling and such partitions shall be plastered or metal covered to a sufficient height. * * * [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 168–e as added by 1914 C 183]

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Chairs, stools or other suitable seats shall be maintained in mercantile establishments for the use of female employees therein, to the number of at least one seat for every three females employed, and the use thereof by such employees shall be allowed at such times and to such extent as may be necessary for the preservation of their health. If the duties of the female employees, for the use of whom the seats are furnished, are to be principally performed in front of a counter, table, desk or fixture, such seats shall be placed in front thereof; if such duties are to be principally performed behind such counter, table, desk or fixture, such seats shall be placed behind the same. [C L 1909 v 3 Labor C 31 art 12 (as renumbered by 1913 C 145) s 170]

HEALTH OF MINORS

Employment of women and children in basements prohibited under certain conditions.—Women or children shall not be employed or permitted to work in the basement of a mercantile establishment, unless permitted by the board or department of health, or health commissioners of the town, village or city where such mercantile establishment is situated, unless such establishment is situated in a city of the first or second class in which case such permission must be obtained from the [industrial commission] Such permission shall be granted unless it appears that such basement is not sufficiently lighted and ventilated, and is not in good sanitary condition. [C L 1909 v 3 Labor C 31 art 12 s 171 as amended and renumbered by 1913 C 145]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of industrial commission, health commissioners, etc.—Except in cities of the first and second class the board or department of health or health commissioners of a town, village or city affected by this article shall enforce the same and prosecute all violations thereof. Proceedings to prosecute such violations must be begun within sixty days after the alleged offense was committed. All officers and members of such boards or department[s], all health commissioners, inspectors and other persons appointed or designated by such boards, departments or commissioners may visit and inspect, at reasonable hours and when practicable and necessary, all mercantile or other establishments herein specified within the town, village or city for which they are appointed. No person shall interfere with or prevent any such officer from making such visitations and inspections, nor shall he be obstructed or injured by force or otherwise while in the performance of his duties. All persons connected with any such mercantile or other establishment herein specified shall properly answer all questions asked by such officer or inspector in reference to any of the provisions of this article. In cities of the first and second class the [industrial commission] shall enforce the provisions of this article, and for that purpose [said commission] and [its] subordinates shall possess all powers herein conferred upon town, village, or city boards and departments of health and their commissioners, inspectors,

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and other officers, except that the board or department of health of said cities of the first and second class shall continue to issue employment certificates as provided in section one hundred and sixty-three of this chapter. [C L 1909 v 3 Labor C 31 art 12 s 172 as amended and renumbered by 1913 C 145]

Copy of law to be posted under certain conditions.—A copy or abstract of applicable provisions of this chapter and of the rules and regulations of the [industrial commission] to be prepared and furnished by the [industrial commission] shall be kept posted by the employer in a conspicuous place on each floor of every mercantile or other establishment specified in article twelve of this chapter situated in cities of the first or second class, wherein three or more persons are employed who are affected by such provisions. [C L 1909 v 3 Labor C 31 art 12 s 173 as amended and renumbered by 1913 C 145]

STREET TRADES

MINIMUM AGE

Selling newspapers, etc., prohibited for boys under 12 and girls under 16 in certain cities.—No male child under twelve, and no girl under sixteen years of age, shall in any city of the first, second or third class sell or expose or offer for sale newspapers, magazines or periodicals in any street or public place. [C L 1909 v 3 Labor C 31 art 15 s 220 as amended by 1913 C 618]

Opinion.—The statute does not apply to boys employed by newspapers as carriers to deliver the papers.—Attorney General (1913).

PERMITS AND BADGES

Permits and badges required from 12 to 14; school authorities to issue permits; age, school, and health records required; method of issuing.—No male child under fourteen years of age shall sell or expose or offer for sale said articles unless a permit and badge as hereinafter provided shall have been issued to him by the district superintendent of the board of education of the city and school district where said child resides, or by such other officer thereof as may be officially designated by such board for that purpose, on the application of the parent, guardian or other person having the custody of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian then on the application of his next friend, being an adult. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and placed on file in his office satisfactory proof that such male child is of the age of twelve years or upwards, and shall also have received, examined and placed on file the written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school, that he is of normal development of a child of his age and physically fit for such employment, and that said principal or chief executive officer approves the granting of a permit and badge to such child. No such permit or badge shall be valid for any purpose except during the period in which such proof and written statement shall remain on file, nor shall such permit or badge be authority beyond the period fixed therein for its duration. After having received, examined and placed on file such papers the officer shall issue to the child a permit and badge. Principals or chief executive officers of schools in which children under fourteen years are pupils shall keep complete lists of all children in their schools to whom a permit and badge as herein provided have been granted. [C L 1909 v 3 Labor C 31 art 15 s 221 as amended by 1913 C 618]

Method of issuing and contents of permit and badge.—Such permit shall state the date and place of birth of the child, the name and address of its parent, guardian, custodian or next friend, as the case may be, and describe the color of hair and eyes, the height, weight and any distinguishing facial mark of such child, and shall further state that the papers required by the preceding section have been duly examined and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit, and the name of the child. Every such permit, and every such badge on its reverse side, shall be signed in the presence of the officer issuing the same by the child in whose name it is issued. [C L 1909 v 3 Labor C 31 art 15 s 222 as amended by 1913 C 618]

Badge to be worn conspicuously; nontransferable.—The badge provided for herein shall be worn conspicuously at all times by such child while so working; and all such permits and badges shall expire annually on the first day of January. The color of the badge shall be changed each year. No child to whom such permit and badge

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are issued shall transfer the same to any other person nor be engaged in any city of the first, second or third class as a newsboy, or shall sell or expose or offer for sale newspapers, magazines or periodicals in any street or public place without having conspicuously upon his person such badge, and he shall exhibit the same upon demand at any time to any police, or attendance officer. [C L 1909 v 3 Labor C 31 art 15 s 223 as amended by 1913 C 618]

HOURS OF LABOR

Night work prohibited under 14.—No child to whom a permit and badge are issued as provided for in the preceding section shall sell or expose or offer for sale any newspapers, magazines or periodicals after eight o'clock in the evening, or before six o'clock in the morning. [C L 1909 v 3 Labor C 31 art 15 s 224 as amended by 1913 C 618]

ENFORCEMENT

Duties and powers of police and attendance officers.—In cities of the first, second or third class, police officers, and the regular attendance officers appointed by the board of education, who are hereby vested with the powers of peace officers for the purpose, shall enforce the provisions of this article. [C L 1909 v 3 Labor C 31 art 15 s 225 as amended by 1913 C 618]

PENALTIES

Child; commitment; revocation of permit.—Any child who shall, in any city of the first, second or third class, sell or expose or offer for sale newspapers, magazines or periodicals in violation of the provisions of this article may be deemed and adjudged in need of the care and protection of the State, and if over seven years of age may be adjudged guilty of juvenile delinquency. A child violating the provisions of this act may be arrested and in the city of New York be brought before a children's court and in any other city be brought before a court or magistrate having jurisdiction to commit a child to an incorporated charitable reformatory or other institution and be dealt with according to law. If any such child is committed to an institution, it shall, when practicable, be committed to an institution governed by the same religious faith as the parents of such child. The permit and badge of any child who violates the provisions of this article may be revoked by the officer issuing the same, upon the recommendation of the principal or chief executive officer of the school which such child is attending, or upon the complaint of any police officer or attendance officer, and such child shall surrender the permit and badge so revoked upon the demand of any attendance officer or police officer charged with the duty of enforcing the provisions of this article. The refusal of any child to surrender such permit and badge, upon such demand, or the sale or offering for sale of newspapers, magazines or periodicals in any street or public place by any child after notice of the revocation of such permit and badge shall be deemed a violation of this article and shall subject the child to the penalties provided for in this section. [C L 1909 v 3 Labor C 31 art 15 s 226 as amended by 1913 C 618]

Parent; misdemeanor.—The parent, guardian or other person having the custody of a child, who omits to exercise reasonable diligence to prevent such child from violating the provisions of this act, shall be guilty of a misdemeanor [1] and shall be dealt with as provided by section four hundred and ninety-four of the penal law [added by 1910 C 699]. In any such proceedings against any such parent, guardian or other person having custody of such child, proof of the presence of such child in the public streets engaged in the sale or exposure or offering for sale of newspapers, magazines or periodicals in violation of the provisions of this article, shall be deemed prima facie proof of the lack of reasonable diligence in the control of such child by such parent, guardian or custodian, to prevent such offense by such child. [C L 1909 v 3 Labor C 31 art 15 s 227 as added by 1913 C 618]

ALL REGULATED OCCUPATIONS

PENALTIES

Violation of labor laws and false statements.—Any person who violates or does not comply with any provision of the labor law, any provision of the industrial code, any rule or regulation of the [industrial commission] * * * or any lawful order of the [industrial commission]; and any person who knowingly makes a false state-

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws, 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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ment in or in relation to any application made for an employment certificate as to any matter required by articles six * * * of the labor law to appear in any affidavit, record, transcript or certificate therein provided for, is guilty of a misdemeanor and upon conviction shall be punished, except as in this chapter otherwise provided, for a first offense by a fine of not less than twenty nor more than fifty dollars; for a second offense by a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third offense by a fine of not less than two hundred and fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [C L 1909 v 4 Penal C 40 art 120 s 1275 as amended by 1913 C 349]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors under 18, and girls of any age not members of family, prohibited.—* * * It shall not be lawful for any person, whether having paid such [liquor] tax or not * * * F. To permit any girl or woman, not a member of his family, or any minor under the age of eighteen years, * * * to sell or serve any liquor on the premises * * *. [C L 1909 v 3 Liquor Tax C 34 art 2 s 30 as amended by 1910 C 494 and 1912 C264]

Penalty; revocation of license.—

* * * * * * *

2. Any person * * * who shall violate any of the provisions of section * * * thirty shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not more than five hundred dollars or by imprisonment in a county jail or penitentiary for a term of not more than one year, or by both such fine and imprisonment, and shall forfeit the liquor tax certificate held by him at the date of such conviction, and be deprived of all rights and privileges thereunder, and of any right to a rebate of any portion of the tax paid thereon, and if the person convicted be a pharmacist holding a license issued by the board of pharmacy, the said board of pharmacy shall, in addition to said penalties, immediately revoke said license, and no liquor tax certificate shall be issued to any person to traffic in liquors at said store or place * * * for the term of one year from the date of said conviction; but this clause does not apply to violations of section thirty of this chapter, by a person not holding a liquor tax certificate, or by a person who is prohibited from trafficking in liquors by reason of the result of a vote on the local option questions * * *.

3. If within a period of two years there shall be two convictions of clerks, agents, employees, or servants of a holder of a liquor tax certificate, for a violation of any provision of this chapter, the liquor tax certificate of the principal, held by him at the date of the second conviction, shall be forfeited, and the said principal shall be deprived of all rights and privileges thereunder, and of any right to any rebate of any portion of the tax paid thereon.

4. No liquor tax certificate shall be issued to any person convicted of a violation of this chapter within three years from the date of such conviction, nor shall any such person have any interest therein, or become a surety on any bond * * *. [C L 1909 v 3 Liquor Tax C 34 art 2 s 36 as amended by 1910 C 485]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Endangering life or health of child prohibited; misdemeanor.—A person who:

1. Willfully causes or permits the life or limb of any child actually or apparently under the age of sixteen years to be endangered, or its health to be injured, or its morals to become depraved; or,

2. Willfully causes or permits such child to be placed in such a situation or to engage in such an occupation that its life or limb is endangered, or its health is likely to be injured, or its morals likely to be impaired,

Is guilty of misdemeanor.[1] * * * [C L 1909 v 4 Penal C 40 art 44 s 483]

Court decision.—That the mother acquiesced in the employment of the child in violation of this section does not bar an action by her, as his administratrix, for his negligent death caused by injuries while at work under his employer.—Stenson *v.* Flick Co., 130 N. Y. S. 555, 146 App. Div. 66 (1911).

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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Employment under 16 in rope walking, singing, dancing, theatrical exhibitions, etc., prohibited; exceptions; misdemeanor for parent, employer, etc.—A person who employs or causes to be employed, or who exhibits, uses, or has in custody, or trains for the purposes of the exhibition, use or employment of, any child actually or apparently under the age of sixteen years; or who having the care, custody or control of such a child as parent, relative, guardian, employer, or otherwise, sells, lets out, gives away, so trains, or in any way procures or consents to the employment, or to such training, or use, or exhibition of such child; or who neglects or refuses to restrain such child from such training, or from engaging or acting:

1. As a rope or wire walker, gymnast, wrestler, contortionist, rider or acrobat; or upon any bicycle or similar mechanical vehicle or contrivance; or,

2. In begging or receiving or soliciting alms in any manner or under any pretense, or in any mendicant occupation; or in gathering or picking rags, or collecting cigar stumps, bones or refuse from markets; or in peddling; or,

3. In singing; or dancing; or playing upon a musical instrument; or in a theatrical exhibition; or in any wandering occupation; or,

4. In any illegal, indecent or immoral exhibition or practice; or in the exhibition of any such child when insane, idiotic, or when presenting the appearance of any deformity or unnatural physical formation or development; or,

5. In any practice or exhibition or place dangerous or injurious to the life, limb, health or morals of the child,

Is guilty of a misdemeanor.[1] But this section does not apply to the employment of any child as a singer or musician in a church, school or academy; or in teaching or learning the science or practice of music; or as a musician in any concert or in a theatrical exhibition, with the written consent of the mayor of the city, or the president of the board of trustees of the village where such concert or exhibition takes place. Such consent shall not be given unless forty-eight hours previous notice of the application shall have been served in writing upon the society mentioned in section four hundred and ninety-one of this chapter [any incorporated society for the prevention of cruelty to children], if there be one within the county, and a hearing had thereon if requested, and shall be revocable at the will of the authority giving it. It shall specify the name of the child, its age, the names and residence of its parents or guardians, the nature, time, duration and number of performances permitted, together with the place and character of the exhibition. But no such consent shall be deemed to authorize any violation of the first, second, fourth or fifth subdivisions of this section. [C L 1909 v 4 Penal C 40 art 44 s 485]

Court decision.—This section is not unconstitutional as to the parent's rights or the rights of the children.—People *v.* Ewer, 141 N. Y. 129 (1894).

Sending messengers to immoral places prohibited; penalty.—A corporation or person employing messenger boys who:

* * * * * * *

2. Knowingly sends or permits any person to send any messenger boy to any disorderly house, unlicensed saloon, inn, tavern, or other unlicensed place, where malt or spirituous liquors or wines are sold, on any errand or business whatsoever except to deliver telegrams at the door of such house,

Is guilty of a misdemeanor,[1] and incurs a penalty of fifty dollars to be recovered by the district attorney. [C L 1909 v 4 Penal C 40 art 44 s 488]

ALL OCCUPATIONS

PENALTIES

Misdemeanor.—A person convicted of a crime declared to be a misdemeanor, for which no other punishment is specially prescribed by this chapter, or by any other statutory provision in force at the time of the conviction and sentence, is punishable by imprisonment in a penitentiary, or county jail, for not more than one year, or by a fine of not more than five hundred dollars, or by both. [C L 1909 v 4 Penal C 40 art 174 s 1937]

RAILROADS

MINIMUM AGE

Employment of telegraph operators under 18 prohibited; misdemeanor.—Any person * * * who, in his own behalf, or in the behalf of any other person or corporation,

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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* * * employs a person as a telegraph operator who is under the age of eighteen years, or who has less than one year's experience in telegraphing, to receive or transmit a telegraphic message or train order for the movement of trains, is guilty of a misdemeanor.[1] [C L 1909 v 4 Penal C 40 art 178 s 1982]

DRUG AND GROCERY STORES, ETC.

HOURS OF LABOR

Seventy hours a week in drug stores; exceptions; periods of rest.—No apprentice or employee in any pharmacy or drug store shall be required or permitted to work more than seventy hours a week. Nothing in this section prohibits working six hours overtime any week for the purpose of making a shorter succeeding week: *Provided however*, That the aggregate number of hours in any such two weeks shall not exceed one hundred and thirty-two hours. The hours shall be so arranged that an employee shall be entitled to and shall receive at least one afternoon and evening off in each week and in addition thereto shall receive one full day off in two consecutive weeks. * * * The provisions of this section alone regulate working hours * * * in pharmacies or drug stores. [C L 1909 v 4 Public Health C 45 art 11 s 236 as amended by 1914 C 514]

Eleven hours a day, 70 a week, for boys over 16 in grocery stores in certain cities; exceptions; time for meals required; application of act; violation a misdemeanor.—No male apprentice or employee over the age of sixteen years in any grocery or provision store located or lying within the boundaries of any city of the first class shall be permitted to work more than seventy hours a week or more than eleven hours in any one day, except that on the last day of the week such employees may be permitted to work fifteen hours for the purpose of eliminating work on the first day of the week. Nothing herein shall be so construed as to require male apprentices or employees over the age of sixteen years in grocery or provision stores to work on seven days in the week. The work hours shall be consecutive, allowing one hour for each meal. Nothing herein shall be so construed as to affect minors under the age of sixteen years or females of any age, or in any way to repeal or modify chapter three hundred and thirty-one of the laws of nineteen hundred and fourteen. * * * Failure to comply with any of the provisions of this section shall be deemed a misdemeanor.[1] [C L 1909 v 4 Public Health C 45 art 11 s 236-a as added by 1915 C 343]

Misdemeanor.— * * * It is a misdemeanor[1] for

* * * * * * *

Any proprietor of a pharmacy or drug store to require more than seventy working hours a week in other arrangement than that permitted by section two hundred and thirty-six * * *. [C L 1909 v 4 Public Health C 45 art 11 s 240 subdivision 9 as amended by 1910 C 422, by 1911 C 630, and by 1915 C 502]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL AND EVENING AND CONTINUATION SCHOOL ATTENDANCE

Children from 7 to 14 in certain cities, from 8 to 14 in certain other cities, and from 14 to 16 if not regularly and lawfully employed.—1. Every child within the compulsory school ages, in proper physical and mental condition to attend school, residing in a city or school district having a population of five thousand or more and employing a superintendent of schools, shall regularly attend upon instruction as follows:

(a) Each child between seven and fourteen years of age shall attend the entire time during which the school attended is in session, which period shall be not less than one hundred and sixty days of actual school.

(b) Each child between fourteen and sixteen years of age not regularly and lawfully engaged in any useful employment or service, and to whom an employment certificate has not been duly issued under the provisions of the labor law, shall so attend the entire time during which the school attended is in session.

2. Every such child, residing elsewhere than in a city or school district having a population of five thousand or more and employing a superintendent of schools, shall attend upon instruction during the entire time that the school in the district shall be in session as follows:

(a) Each child between eight and fourteen years of age.

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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(b) Each child between fourteen and sixteen years of age not regularly and lawfully engaged in any useful employment or service. * * * [C L 1910 v 8 Education C 16 art 23 s 621 as amended by 1911 C 710 and by 1913 C 511]

Boys from 14 to 16 to attend evening or continuation schools and girls from 14 to 16 to attend continuation schools under certain conditions.—1. Every boy between fourteen and sixteen years of age, in a city of the first class or a city of the second class in possession of an employment certificate duly issued under the provisions of the labor law, who has not completed such course of study as is required for graduation from the elementary public schools of such city, and who does not hold either a certificate of graduation from the public elementary school or the preacademic certificate issued by the regents or the certificate of the completion of an elementary course issued by the education department, shall attend the public evening schools of such city, or other evening schools offering an equivalent course of instruction, for not less than six hours each week, for a period of not less than sixteen weeks.

2. When the board of education in a city or district shall have established part-time and continuation schools or courses of instruction for the education of young persons between fourteen and sixteen years of age who are regularly employed in such city or district, said board of education may require the attendance in such schools or on such courses of instruction of any young person in such a city or district who is in possession of an employment certificate duly issued under the provisions of the labor law, who has not completed such courses of study as are required for graduation from the elementary public schools of such city or district, or equivalent courses of study in parochial or other elementary schools, who does not hold either a certificate of graduation from the public elementary school or a preacademic certificate of the completion of the elementary course issued by the education department, and who is not otherwise receiving instruction approved by the board of education as equivalent to that provided for in the schools and courses of instruction established under the provisions of this act. The required attendance provided for in this paragraph shall be for a total of not less than thirty-six weeks per year, at the rate of not less than four and not more than eight hours per week, and shall be between the hours of eight o'clock in the morning and five o'clock in the afternoon of any working day or days.

3. The children attending such part-time or continuation schools as required in paragraph two of this section shall be exempt from the attendance on evening schools required in paragraph one of this section. [C L 1910 v 8 Education C 16 art 23 s 622 as amended by 1913 C 748]

Regulations for attendance at other than public schools.—If any such child shall so attend upon instruction elsewhere than at a public school, such instruction shall be at least substantially equivalent to the instruction given to children of like age at the public school of the city or district in which such child resides; and such attendance shall be for at least as many hours each day thereof as are required of children of like age at public schools; and no greater total amount of holidays and vacations shall be deducted from such attendance during the period such attendance is required than is allowed in such public schools to children of like age. Occasional absences from such attendance, not amounting to irregular attendance in the fair meaning of the term, shall be allowed upon such excuses only as would be allowed in like cases by the general rules and practice of such public school. [C L 1910 v 8 Education C 16 art 23 s 623]

Children from 7 to 14 in certain districts and from 14 to 16 unless regularly and lawfully employed; from 8 to 16 in other districts, unless regularly and lawfully employed, etc.—Every person in parental relation to a child within the compulsory school ages and in proper physical and mental condition to attend school, shall cause such child to attend upon instruction, as follows:

1. In cities and school districts having a population of five thousand or above, every child between seven and sixteen years of age as required by section six hundred and twenty-one of this act unless an employment certificate shall have been duly issued to such child under the provisions of the labor law and he is regularly employed thereunder.

2. Elsewhere than in a city or school district having a population of five thousand or above, every child between eight and sixteen years of age, unless such child shall have received an employment certificate duly issued under the provisions of the labor law and is regularly employed thereunder in a factory or mercantile establishment, business or telegraph office, restaurant, hotel, apartment house or in the distribution or transmission of merchandise or messages, or unless such child shall have received the school record certificate issued under section six hundred and thirty of this act and is regularly employed elsewhere than in the factory or mercantile establishment,

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business or telegraph office, restaurant, hotel, apartment house or in the distribution or transmission of merchandise or messages. [C L 1910 v 8 Education C 16 art 23 s 624]

Penalty for preceding section.—A violation of section six hundred and twenty-four shall be a misdemeanor, punishable for the first offense by a fine not exceeding five dollars, or five days' imprisonment, and for each subsequent offense by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. * * * [C L 1910 v 8 Education C 16 art 23 s 625]

ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment under 14 prohibited during school hours; employment and school record certificates required from 14 to 16 for employment in certain occupations elsewhere than in cities of the first and second class; employment certificates required from 14 to 16 in cities of the first and second class.—It shall be unlawful for any person, firm or corporation:

1. To employe [employ] any child under fourteen years of age, in any business or service whatever, for any part of the term during which the public schools of the district or city in which the child resides are in session.

2. To employ, elsewhere than in a city of the first class or a city of the second class, in a factory or mercantile establishment, business or telegraph office, restaurant, hotel, apartment house or in the distribution or transmission of merchandise or messages, any child between fourteen and sixteen years of age who does not at the time of such employment present an employment certificate duly issued under the provisions of the labor law, or to employ any such child in any other capacity who does not at the time of such employment present a school record certificate as provided in section six hundred and thirty of this chapter.

3. To employ any child between fourteen and sixteen years of age in a city of the first class or a city of the second class who does not, at the time of such employment, present an employment certificate, duly issued under the provisions of the labor law. [C L 1910 v 8 Education C 16 art 23 s 626]

NOTE.—[The provisions for employment certificates as provided for in this article are apparently superseded by articles 6 and 12, chapter 31, volume 3, Labor, Consolidated Laws 1909.]

Certificates to be displayed from 14 to 16.—The employer of any child between fourteen and sixteen years of age in a city or district shall keep and shall display in the place where such child is employed, the employment certificate and also his evening, part-time or continuation school certificate issued by the school authorities of said city or district or by an authorized representative of such school authorities, certifying that the said child is regularly in attendance at an evening, part-time or continuation school of said city as provided in section six hundred and thirty-one of this chapter. [C L 1910 v 8 Education C 16 art 23 s 627 as amended by 1913 C 748]

Penalty for illegal employment.—Any person, firm, or corporation, or any officer, manager, superintendent or employee acting therefor, who shall employ any child contrary to the provisions of sections six hundred and twenty-six and six hundred and twenty-seven hereof shall be guilty of a misdemeanor, and the punishment therefor shall be for the first offense a fine of not less than twenty dollars nor more than fifty dollars; for a second and each subsequent offense, a fine of not less than fifty dollars nor more than two hundred dollars. [C L 1910 v 8 Education C 16 art 23 s 628 as amended by 1913 C 748]

Court decision.—The section of which this is an amendment was held constitutional.—City of New York *v.* Chelsea Jute Mills, 43 Misc. 266, 88 N. Y. S. 1085 (1904).

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of teachers; misdemeanor.—An accurate record of the attendance of all children between seven and sixteen years of age shall be kept by the teacher of every school, showing each day by the year, month, day of the month and day of the week, such attendance, and the number of hours in each day thereof; and each teacher upon whose instruction any such child shall attend elsewhere than at school, shall keep a like record of such attendance. Such record shall, at all times, be open to the attendance officers or other person duly authorized by the school authorities of the city or district, who may inspect or copy the same; and every such teacher shall fully answer all inquiries lawfully made by such authorities, inspectors, or other per-

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sons, and a willful neglect or refusal so to answer any such inquiry shall be a misdemeanor.[1] [C L 1910 v 8 Education C 16 art 23 s 629]

SCHOOL RECORD CERTIFICATES

School authorities to issue certificates; contents of certificate.—1. A school-record certificate shall contain a statement certifying that a child has regularly attended the public schools, or schools equivalent thereto, or parochial schools, for not less than one hundred and thirty days during the twelve months next preceding his fourteenth birthday or during the twelve months next preceding his application for such school record, and that he is able to read and write simple sentences in the English language and has received during such period instruction in reading, writing, spelling, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions, and has completed the work prescribed for the first six years of the public elementary school, or school equivalent thereto, or parochial school, from which such school record is issued. Such record shall also give the date of birth and residence of the child, as shown on the school records, and the name of the child's parents, guardian or custodian.

2. A teacher or superintendent to whom application shall be made for a school record certificate required under the provisions of the labor law shall issue a school record certificate to any child who, after due investigation and examination, may be found to be entitled to the same as follows:

a. In a city of the first class by the principal or chief executive of a school.

b. In all other cities and in school districts having a population of five thousand or more and employing a superintendent of schools, by the superintendent of schools only.

c. In all other school districts by the principal teacher of the school.

d. In each city or school district such certificate shall be furnished on demand to a child entitled thereto or to the board or commissioner of health. [C L 1910 v 8 Education C 16 art 23 s 630 as amended by 1913 C 101]

School authorities to issue evening or continuation school certificates; requirements for and contents of certificates.—The school authorities in a city or district, or officers designated by them, are hereby required to issue to each child lawfully in attendance at an evening, part-time or continuation school, an evening, part-time or continuation school certificate at least once in each month during the months said evening, part-time or continuation school is in session and at the close of the term of said evening, part-time or continuation school: *Provided*, That said child has been in attendance upon said evening school, for not less than six hours each week or upon said part-time or continuation school for not less than four hours each week, for such number of weeks as will, when taken in connection with the number of weeks such evening, part-time or continuation school respectively, shall be in session during the remainder of the current or calendar year, make up a total attendance on the part of said child in said evening school, of not less than six hours per week for a period of not less than sixteen weeks or in said part-time or continuation school, of not less than four hours per week for a period of not less than thirty-six weeks. Such certificate shall state fully the period of time which the child to whom it is issued was in attendance upon such evening, part-time or continuation school. [C L 1910 v 8 Education C 16 art 23 s 631 as amended by 1913 C 748]

ENFORCEMENT

Duties and powers of attendance officers and superintendent of schools, etc.—1. The school authorities of each city, union free school district, or common school district whose limits include in whole or in part an incorporated village, shall appoint and may remove at pleasure one or more attendance officers of such city or district, and shall fix their compensation and may prescribe their duties not inconsistent with this article and make rules and regulations for the performance thereof; and the superintendent of schools shall supervise the enforcement of this article within such city or school district.

2. The town board of each town shall appoint, subject to the written approval of the school commissioner of the district, one or more attendance officers, whose jurisdiction shall extend over all school districts in said town, and which are not by this section otherwise provided for, and shall fix their compensation, which shall be a town charge; and such attendance officers, appointed by said board, shall be removable at the pleasure of the school commissioner in whose commissioner district such town is situated. [C L 1910 v 8 Education C 16 art 23 s 632]

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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Powers of truant officers.—A truant officer in the performance of his duties may enter, during business hours, any factory, mercantile or other establishment within the city or school district in which he is appointed and shall be entitled to examine employment certificates or registry of children employed therein on demand. [C L 1910 v 8 Education C 16 art 23 s 633 subdivision 3]

PENALTIES

Hindering attendance officers, etc., a misdemeanor.—Any person interfering with an attendance officer in the lawful discharge of his duties and any person owning or operating a factory, mercantile or other establishment who shall refuse on demand to exhibit to such attendance officer the registry of the children employed or the employment certificate of such children shall be guilty of a misdemeanor.[1] [C L 1910 v 8 Education C 16 art 23 s 634]

School moneys may be withheld from cities and districts not enforcing law.—1. The commissioner of education shall supervise the enforcement of this law and he may withhold one-half of all public school moneys from any city or district, which, in his judgment, willfully omits and refuses to enforce the provisions of this article, after due notice, so often and so long as such willful omission and refusal shall, in his judgment, continue. * * * [C L 1910 v 8 Education C 16 art 23 s 636]

SCHOOL CENSUS

Enumeration of children from 4 to 18; duties of permanent census board in cities of the first class except New York.[2]—A permanent census board is hereby established in each

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, Chapter 40, article 174, section 1937).

[2] Section 1069, subdivision 8, chapter 461, Greater New York charter 1901 added by section 1, chapter 479 of the Acts of 1914, provides that "8. The board of education shall have power to establish a bureau of compulsory education, school census and child welfare and subject to the provisions of law and of this act, the said board shall have power to make by-laws, rules, regulations and prescribe forms for the proper performance of the duties of all persons employed in and under the direction of said bureau. On the nomination of the board of superintendents the board of education shall have power to appoint a director and an assistant director of the said bureau for a term of six years each, and such attendance officers, enumerators, clerks and other employees as may be necessary, and to fix their salaries within the proper appropriation; to assign a chief attendance officer, and one or more attendance officers as supervising attendance officers for such periods as may be prescribed in the by-laws of the board of education. No person shall be eligible for the position of director or of assistant director of the said bureau who has not one of the following qualifications: (a) Graduation from a college or university recognized by the University of the State of New York, together with five years' experience in teaching or supervision since graduation. (b) A principal's license for any of the boroughs of the city of New York obtained as the result of an examination, together with ten years' experience in teaching or supervision. The director and assistant director shall be participants in the teachers' retirement fund under section ten hundred and ninety-two of the charter of the city of New York and be subject to its provisions. Attendance officers employed under the direction of the said bureau shall perform duties in connection with the enforcement of the compulsory education law, in the taking of a school census, and in connection with the employment of children under the labor law, and such other duties, not inconsistent with this act, as the director of the bureau or the board of education may prescribe. It shall be the duty of persons in parental relation to any child between the ages of four and eighteen years residing in the city of New York to give to the educational authorities of the district within which they severally reside, all the information prescribed in section six hundred and fifty of article twenty-four of the education law of the State relating to such child, and such other information as may be required. Persons in parental relation who withhold such information shall be liable to the penalty prescribed in section six hundred and fifty-three of article twenty-four of the education law of the State. It shall be the duty of attendance officers, acting as census enumerators, to collect the information prescribed in section six hundred and fifty of article twenty-four of the education law and such other information as the State commissioner of education or the board of education may require. The director of the bureau of compulsory education, school census and child welfare, herein established, shall, subject to the by-laws of the board of education and in its name, enforce the compulsory education law, direct attendance officers in their duty, commit and parole truant and delinquent children and proceed against those in parental relation in the manner provided in section six hundred and thirty-five of chapter one hundred and forty of the laws of nineteen hundred and ten as amended, any provision of the said law or of section ten hundred and seventy-eight of the charter of the city of New York to the contrary notwithstanding. The assistant director shall perform such duties in connection with the supervision of the school census, or otherwise, as the director, subject to the by-laws of the board of education, may prescribe. Under the direction of the board of education the city superintendent of schools shall have a general supervision of the bureau of compulsory education, school census and child welfare. On or about May first, nineteen hundred and fourteen, the board of education shall ascertain the information required by section six hundred and fifty of article twenty-four of the education law of the State relating to a census of all persons within the city of New York between the ages of four and eighteen years of age. Thereafter such census shall be amended from day to day by attendance officers, clerks and other employees under the supervision of the director, as changes of residence occur among children of such city within the ages prescribed in this article, and as other persons come within the ages prescribed, and as other persons within such ages shall become residents of such city, so that the said board of education in its census bureau shall always have on file a complete census of the names and residences of the children between such ages and of the persons in parental relation thereto."

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city of the first class, except the city of New York. In the city of New York provision shall be made by the board of education for taking a school census in connection with the work of enforcing the compulsory education law. Such permanent census board shall consist of the mayor, the superintendent of schools, the police commissioner or officer performing duties similar to those of a police commissioner. The mayor shall be the chairman of such board. Such board shall have power to make such rules and regulations as may be necessary to carry out the provisions of this article. Such board shall have power to appoint a secretary and such clerks and other employees as may be necessary to carry out the provisions of this article and to fix the salaries of the same. Such board shall ascertain through the police force, the residences and employments of all persons between the ages of four and eighteen years residing within such cities and shall report thereon from time to time to the school authorities of such cities. Under the regulations of such board, during the month of October, nineteen hundred and nine, it shall be the duty of the police commissioners in such cities of the first class to cause a census of the children of their respective cities to be taken. Thereafter such census shall be amended from day to day by the police, precinct by precinct, as changes of residence occur among the children of such cities within the ages prescribed in this article and as other persons come within the ages prescribed herein and as other persons within such ages shall become residents of such cities, so that said board shall always have on file a complete census of the names and residences of the children between such ages and of the persons in parental relation thereto. It shall be the duty of persons in parental relation to any child residing within the limits of said cities of the first class to report at the police station house of the precinct within which they severally reside, the following information:

1. Two weeks before any child becomes of the compulsory school age the name of such child, its residence, the name of the person or persons in parental relation thereto, and the name and location of the school to which such child is sent as a pupil.

2. In case a child of compulsory school age is for any cause removed from one school and sent to another school, or sent to work in accordance with the labor law, all the facts in relation thereto.

3. In case the residence of a child is removed from one police precinct to another police precinct, the new residence and the other facts required in the two preceding subdivisions.

4. In case a child between the ages of four and eighteen becomes a resident of one of said cities of the first class for the first time the residence and such other facts as the census board shall require. Such census shall include all persons between the ages of four and eighteen years, the day of the month and the year of the birth of each of such persons, their respective residences by street and number, the names of their parents or guardians, such information relating to illiteracy and to the enforcement of the law relating to child labor and compulsory education as the school authorities of the State and of such cities shall require and also such further information as such authorities shall require. [C L 1910 v 8 Education C 16 art 24 s 650 as amended by 1914 C 480]

Enumeration of children from 4 to 18; duties of permanent census board or school authorities in other than cities of the first class.—A permanent census board may be established in any city not of the first class, in accordance with the provisions of this article. If a census board shall not be established in such cities, then, during the month of October, nineteen hundred and nine, and in the month of October every fourth year thereafter, the school authorities of every city, not a city of the first class, shall take a census of the children of their respective cities. Such census shall include the information required from the cities of the first class as provided in section six hundred and fifty of this chapter. [C L 1910 v 8 Education C 16 art 24 s 651]

Enumeration of children from 5 to 18; duties of boards of trustees in school districts.—The board of trustees of every school district shall annually on the thirtieth day of August cause a census of all children between the ages of five and eighteen years to be taken in their respective school districts. Such census shall include the information required from cities as provided in this article. [C L 1910 v 8 Education C 16 art 24 s 652]

Penalty for false information, etc.—A parent, guardian or other person having under his control or charge a child between the ages of four and eighteen years who withholds or refuses to give information in his possession relating to such child and required under this article, or any such parent, guardian or other person who gives false information in relation thereto, shall be liable to and punished by fine not exceeding twenty

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dollars or by imprisonment not exceeding thirty days. [C L 1910 v 8 Education C 16 art 24 s 653]

STREET RAILWAYS

MINIMUM AGE

Employment under 21 as motorman, conductor, etc., prohibited under certain conditions; violation a misdemeanor.—Any railroad corporation may employ any inhabitant of the State, of the age of twenty-one years, not addicted to the use of intoxicating liquors, as a car driver, conductor, motorman or gripman, or in any other capacity, if fit and competent therefor. * * * Any violation of the provisions of this section shall be a misdemeanor.[1] [C L 1910 v 9 Railroads C 49 art 3 s 63]

[1] For penalty for misdemeanor, see page 27 (Consolidated Laws 1909, volume 4, Penal, chapter 40, article 174, section 1937).

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NORTH CAROLINA

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

General assembly empowered to enact compulsory school-attendance laws.—The general assembly is hereby empowered to enact that every child, of sufficient mental and physical ability, shall attend the public schools during the period between the ages of six and eighteen years, for a term of not less than sixteen months, unless educated by other means. [Constitution article 9 section 15]

MANUFACTURING ESTABLISHMENTS, ETC.

MINIMUM AGE, EDUCATIONAL REQUIREMENTS, AND HOURS OF LABOR

Employment under 12 prohibited.—No child under 12 years of age shall be employed or worked in any factory or manufacturing establishment within this State [Pell's Revisal of 1908 Chapter 45A section 1981a]

Court decisions.—A former section on the above subject was held constitutional; and employment in violation thereof is negligence per se.—Starnes *v.* Albion Mfg. Co., 147 N. C. 556, 61 S. E. 525 (1908). Employment in violation of a former section on the above subject was held to be negligence per se, and, if injury results, the child has a cause of action.—Leathers *v.* Blackwell's Tobacco Co., 144 N. C. 330, 57 S. E. 11 (1907). A child employed in violation of the statute is not guilty of contributory negligence, and if injured, has a good cause of action.—Rolin *v.* Tobacco Co. 53 S. E. 891 (1906). This section was held to apply to employment in the places named, and not to the employment of a child by a railroad company as messenger.—Pettit *v.* Atlantic Coast Line Co., 72 S. E. 195 (1911). This section was held violated where a boy between 8 and 9 years of age, though not on the regular pay roll, was permitted to work in a mill to the knowledge of its owner, or an agent representing the management, and the employer was held liable for injuries received by the child.—McGowan *v.* Ivanhoe Mfg. Co., 82 S. E. 1028 (1914).

Employment from 12 to 13 prohibited except as apprentice; educational requirements.—No child between the ages of twelve and thirteen years shall be employed or work in a factory except in apprenticeship capacity, and only then after having attended school four months in the preceding twelve months. [P R 1908 C 45A s 1981b]

Night work prohibited under 14 in factories.—No boy or girl under fourteen years old shall work in a factory between the hours of eight p. m. and five a. m. [P R 1908 C 45A s 1981e]

NOTE.—[It is not clear whether or not the three sections quoted above, which constitute sections 1 and 4 of chapter 463 of the Acts of 1907, are superseded by sections 1981ee(1) and 1981ee(2) of chapter 45A of Pell's Revisal of 1908, Supplement 1913, quoted below, which constitute sections 1 and 2 of chapter 64 of the Acts of 1913, since sections 2 and 3 of chapter 463 of the Acts of 1907 (P R 1908 Supp 1913 C 45A s 1981c, 1981d, and C 81 following s 3362-3364) were amended and reenacted by chapter 148 of the Acts of 1915, providing an additional penalty for violation of any provisions of the act. If sections 1 and 4 of the original 1907 act are still in force, the penalty in the amended section 3 would apparently apply to their violation.]

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Eleven hours a day for all employees; 60 hours a week for women and minors; male adults may contract for longer hours for extra compensation; exceptions.—Sixty hours shall constitute a week's work in all factories and manufacturing establishments of the State, and that no minor nor woman shall be worked in such factory or establishment a longer period than sixty hours in one week and no adult male shall be worked in such factory or establishment for a longer period than sixty hours in one week unless there shall be a written contract entered into between said adult male and his employer to that effect in which the employer shall agree to pay said adult male extra compensation for extra hours he may work. That no employee in any factory or manufacturer's establishment in this State shall be worked exceeding eleven hours in any one day: Provided, This section shall not apply to engineers, firemen, superintendents, overseers, section and yard hands, office men, watchmen or repairers of breakdown. [P R 1908 Supplement 1913 C 45A s 1981c as reenacted by 1915 C 148 s 2]

EMPLOYMENT CERTIFICATES

Age and school record required; penalty for false statements, violation of act, etc.—All parents or persons standing in the relation of parent, upon hiring their children to any factory or manufacturing establishment, shall furnish such establishment a written statement of the age of such child or children being so hired, and certificates as to school attendance; and any parent or person standing in the relation of parent to such child or children, who shall in such written statement, misstate the age of such child or children, being so employed, or their school attendance, shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court. Any mill owner, superintendent, boss or [sic] manufacturing establishment, who shall knowingly or wilfully violate the provisions of this act[1] [s 1981a–1981e and following s 3362–3364] shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court: *Provided*, That for a second conviction under this act within twelve months the fine shall not be less than five hundred dollars, or the imprisonment not less than ninety days. [P R 1908 C 45A s 1981d and C 81 following s 3362–3364 as reenacted by 1915 C 148 s 3]

MINIMUM AGE

Employment under 12 prohibited; from 12 to 13 except as apprentices; educational requirements.—No child under twelve years of age shall be employed or work in any factory or manufacturing establishment within this State: *Provided*, That no child between the ages of twelve and thirteen years shall be employed or work in a factory except in apprenticeship capacity, and only then after having attended school four months in the preceding twelve months. [P R 1908 Supp 1913 C 45A s 1981ee(1)]

HOURS OF LABOR

Night work prohibited under 16.—No person under sixteen years of age shall be employed or permitted to work in any mill, factory or manufacturing establishment in this State between the hours of nine p. m. and six a. m. [P R 1908 Supp 1913 C 45A s 1981ee(2)]

EMPLOYMENT CERTIFICATES

Certificates required for night work under 16 and day work under 13; educational requirements from 12 to 13.—No child under sixteen years of age shall be employed or permitted to work at night, nor shall any child under the age of thirteen years be employed on daywork in any mill, factory or manufacturing plant in this State, unless the person, firm or corporation employing such child or permitting such child to work shall have procured and shall keep on file and accessible to any inspector of factories or other authorized officer charged with the enforcement of this act [s 1981ee subsections 1–5] a certificate from the parent, guardian or person standing in loco parentis to any such child, which certificate shall show the name and age of such child; and in case such child is under thirteen and more than twelve years of age, said certificate must set forth the fact that such child has attended school four months in the preceding twelve months. [P R 1908 Supp 1913 C 45A s 1981ee(3)]

[1] See bracketed note following section 1981b

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PENALTIES

Illegal employment, false statements, etc.—Any person, firm or corporation, agent or manager of any firm or corporation, who willfully, whether for himself or for such firm or corporation, employs or permits to work any child in violation of any of the provisions of this act [s 1981ee subsections 1–5], and whoever, having under his control as parent, guardian or otherwise, shall willfully set forth any false statement in the certificate of employment herein required, or otherwise suffers such children to be employed or to work, in violation of any of the provisions of this act, shall be guilty of a misdemeanor. [P R 1908 Supp 1913 C 45A s 1981ee(4)]

NOTE.—[See section 1981d, chapter 45A, and following sections 3362–3364, chapter 81, Pell's Revisal of 1908, as reenacted by section 3, chapter 148, Acts of 1915.]

Misdemeanor.—All misdemeanors, where a specific punishment is not prescribed, shall be punished as misdemeanors at common law; but if the offense be infamous, or done in secrecy and malice, or with deceit and intent to defraud, the offender shall be punished by imprisonment in the county jail, not less than four months nor more than ten years, or be fined. [P R 1908 C 81 s 3293]

ENFORCEMENT

Duties of county superintendent of public schools.—It shall be the duty of the county superintendent of public schools to investigate any violation of this act [s 1981ee subsections 1–5] and to report the same to the solicitor of the judicial district in which said violation occurred, together with the names of all witnesses. [P R 1908 Supp 1913 C 45A s 1981ee(5)]

NOTE.—[Chapter 473 of the Acts of 1903 (Pell's Revisal of 1908, chapter 81, sections 3362, 3363 and 3364), relating to the employment of children in manufacturing establishments, are apparently superseded by chapter 463 of the Acts of 1907 (Pell's Revisal of 1908 and its Supplement, 1913, chapter 45A, sections 1981a, 1981b, 1981c, 1981d, and 1981e and chapter 81, following sections 3362 to 3364, as amended), and by sections 1981ee (1), 1981ee (2), 1981ee (4) of the Acts of 1913, chapter 64, quoted above.]

MANUFACTURING ESTABLISHMENTS, STORES, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—All persons, firms or corporations who employ females in a store, shop, office or manufacturing establishment, as clerks, operatives or helpers in any business, trade or occupation carried on or operated in the State of North Carolina, shall be required to procure and provide proper and suitable seats for all such females, and shall permit the use of such seats, rests or stools as may be necessary, and shall not make any rules, regulations or orders preventing the use of such seats, stools or rests when any such female employee or employees are not actively employed or engaged in their work in such business or employment. [P R 1908 Supp 1913 C 45A s 1981i(1)]

Penalty.—If any employer of female help in the State of North Carolina shall fail, neglect or refuse to provide seats, as provided in this act [s 1981i subsections 1–2], on or before the first day of June, one thousand nine hundred and nine, or shall make any rules, orders or regulations in his or its shop, store or other place of business requiring females to remain standing when not necessarily employed or engaged in service or labor therein, he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars, in the discretion of the court. [P R 1908 Supp 1913 C 45A s 1981i(2)]

TOILETS FOR GIRLS

Separate toilets for the sexes in certain cities; exceptions.—All persons and corporations employing males and females in any manufacturing industry, or other business employing more than two males and females in towns and cities having a population of one thousand persons or more, and where such employees are required to do indoor work chiefly, shall provide and keep in a cleanly condition separate and distinct toilet rooms for such employees, said toilets to be lettered and marked in a distinct manner, so as to separate the white and colored males and females of both sexes [sic]: *Provided*, That the provisions of this section shall not apply to cases where toilet arrangements or facilities are furnished by said employer off the premises occupied by him. [P R 1908 Supp 1913 C 45A s 1981k(1)]

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Penalty.—Any person or corporation refusing to comply with the provision of section one of this act [s 1981k subsections 1–6] shall be guilty of a misdemeanor and upon conviction fined five dollars for the first offense and five dollars for each day they shall fail to make the provisions required under section one of this act. [P R 1908 Supp 1913 C 45A s 1981k(2)]

Enforcement: duties of police officers in cities and towns; penalty.—It shall be the duty of the police officers of any town or city to investigate the places of business of any person or corporation employing males and females and see that the provisions of this act [s 1981k subsections 1–6] are put in force, and it shall be his duty to swear out a warrant before the mayor or other proper officer of any town or city and prosecute all persons, corporations and managers of corporations who shall violate any of the provisions of this act, [and in case of such violation] he or she, shall be fined five dollars. [P R 1908 Supp 1913 C 45A s 1981k(3)]

Toilets to be separately located; penalty.—It shall be the duty of the persons or corporation mentioned under this act [s 1981k subsections 1–6] to locate their toilets for males and females, white and colored, in separate parts of their buildings or grounds, in buildings hereafter erected, and in those now erected, all closets shall be separated by substantial walls of brick or timber, and any employee who shall willfully intrude or use any toilet not intended for his or her sex or color shall be guilty of a misdemeanor and upon conviction shall be fined five dollars. [P R 1908 Supp 1913 C 45A s 1981k(4)]

Enforcement: duties of county sheriffs outside of cities and towns.—Whenever any persons or corporations shall have located, outside of any city or town, its manufacturing plant or other business, it shall be the duty of the sheriff of the county to make investigation of the condition of the toilets used by such manufacturing plant or business and see that section one of this act [s 1981k subsections 1–6] is complied with, and it shall be his duty to swear out a warrant before a justice of the peace and prosecute any one violating the provisions of this act. [P R 1908 Supp 1913 C 45A s 1981k(5)]

Application of act; certain counties exempted.—Provided, That this act [s 1981k subsections 1–6] shall not apply to Sampson, Harnett, Lee, Johnston, Northampton, Cleveland, Rutherford, Polk, and Henderson Counties. [P R 1908 Supp 1913 C 45A s 1981k(6)]

COMMON CARRIERS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; 9 or 13 hours a day for telegraph and telephone operators; exceptions.—It shall be unlawful for any common carrier, its officers or agents, subject to this act [s 2604a subsections 1–4], to require or permit any employee, subject to this act, to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches reports, transmits, receives or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week: *Provided further*, The corporation commission may, after full hearing in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to such case. [P R 1908 Supp 1913 C 61 s 2604a(2)]

Court decision.—Under a former section on the above subject it was held that an employee injured while at work in violation of this section can not recover though he acted under orders of his superior.—Lloyd *v.* N. C. R. R. Co., 66 S. E. 604 (1909).

[1] See court decision on page 7 (New York).

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Enforcement: duties of corporation commission; penalty; application of act.—Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section [s 2604a subsection 2] hereof shall be liable to a penalty of not to exceed five hundred dollars for each and every violation, to be recovered in suit or suits to be brought in the name of the State of North Carolina on relation of the corporation commission in the superior court of Wake County or of the county in which the violation of this act occurred; and it shall be the duty of the said corporation commission to bring such suits upon satisfactory information lodged with it; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall be the duty of the said corporation commission to lodge with the proper solicitors information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers and agents: *Provided*, That the provisions of this act [s 2604a subsections 1–4] shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, That the provisions of this act shall not apply to the crews of wrecking or relief trains: *Provided further*, This act shall not be construed to impose a penalty upon any common carrier for any act done in violation of the act of Congress, ratified March the fourth, one thousand nine hundred and seven, and entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," or any acts amendatory thereof. [P R 1908 Supp 1913 C 61 s 2604a(3)]

Enforcement: duties and powers of corporation commission.—It shall be the duty of the corporation commission to execute and enforce the provisions of this act [s 2604a subsections 1–4], and all powers granted to the corporation commission are hereby extended to it in the execution of this act. [P R 1908 Supp 1913 C 61 s 2604a(4)]

ALL OCCUPATIONS

WAGES

Fraudulent contract with minor; penalty.—Whenever any person having a contract with any corporation, company or person for the manufacture or change of any raw material by the piece or pound shall hire and employ any minor to assist in said work upon the faith of and by color of said contract and with intent to cheat and defraud said minor, and shall secure the contract price and shall willfully fail to pay said minor when he shall have performed his part of said contract work, whether done by the day or by the job, the person so offending shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days. [P R 1908 C 81 s 3428a]

MINIMUM AGE

Inducing children to leave State for employment; penalty.—If any person shall employ and carry beyond the limits of this State any minor, or shall induce any minor to go beyond the limits of this State for the purpose of employment without the consent in writing, duly authenticated, of the parent, guardian or other person having authority over such minor, he shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five hundred and not more than one thousand dollars for each offense. The fact of the employment and going out of the State of a minor, or of the going out of the State by the minor, at the solicitation of the person for the purpose of employment, shall be prima facie evidence of knowledge that the person employed or solicited to go beyond the limits of the State is a minor. [P R 1908 C 81 s 3630]

CHILD LABOR AND VAGRANCY

Certain persons living on the earnings of their minor children declared vagrants; penalty.—If any person shall come within any of the following classes, he shall be deemed a vagrant, and shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days: *Provided however*, That this limitation of punishment shall not be binding except in cases of a first offense, and in all other cases such person may be fined or imprisoned, or both, in the discretion of the court:

* * * * * * *

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6. All able-bodied men who have no other visible means of support who shall live in idleness upon the wages or earnings of their mother, wife or minor child or children, except male child or children over eighteen years of age. * * * [P R 1908 C 81 s 3740 as amended by 1915 C 1]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 12; from 8 to 15 in Mitchell County; powers of school authorities to extend compulsory school age.—Every parent, guardian, or other person in the State of North Carolina having charge or control of a child or children between the ages of eight and twelve years, shall cause such child or children to attend the local public school in the district, town or city in which he resides, continuously for four months of the school term of each year, except as hereinafter provided. This period of compulsory attendance shall commence at the beginning of the compulsory period of the school term nearest to the eighth birthday of such child or children, and shall cover the compulsory period of four consecutive school years thereafter. This period of compulsory attendance for each public school shall commence at the beginning of the school term of said school unless otherwise ordered by the county board of education or, in case of towns or cities of two thousand or more inhabitants, by the board of trustees of the public schools of said towns or cities. Continuous attendance upon some other public school or upon any private or church school taught by competent teachers may be accepted in lieu of attendance upon the local public schools: *Provided*, That said period of continuous attendance upon such other school shall be for at least four months of each year: *Provided further*, That any private or church school receiving for instruction pupils between the ages of eight and twelve years shall be required to keep such records of attendance of said children and to render such reports of same as are hereinafter required of public schools. And attendance upon such schools refusing or neglecting to keep such records and to render such reports shall not be accepted in lieu of attendance upon the local public school of the district, town or city which the child shall be entitled to attend: *Provided*, The period of compulsory attendance shall be in force and apply between the ages of eight and fifteen years in Mitchell County: *Provided further*, That the county board of education in any county may in its discretion, or the board of trustees of the public schools of any town of two thousand or more inhabitants may in its discretion, extend the age limit for compulsory attendance from twelve years to thirteen or fourteen years. [P R. 1908 Supp 1913 C 89 s 4092a(1) as amended by 1915 C 236 s 3(a)]

Exemptions on account of poverty; other exemptions.—This act [s 4092a subsections 1–11] shall not apply in any case in which the child's physical or mental condition, as attested by any legally qualified physician before any court having jurisdiction under this act, renders his attendance impracticable or inexpedient; or in any case in which the child resides two and one-half miles or more by the nearest traveled route from the schoolhouse; or in any case in which, because of extreme poverty the services of such child are necessary for his own support or the support of his parents, as attested by the affidavit of said parents and of such witnesses as the attendance officer may require; or in any case in which said parent, guardian or other person having charge or control of the child shall show before any magistrate by affidavit of himself and of such witnesses as the attendance officer may require, that the child is without necessary books and clothing for attending school, and that he is unable to provide the necessary books and clothes: *Provided*, That when books and clothing shall have been provided, through charity or by other means, the child shall no longer be exempt from attendance under this provision. [P R 1908 Supp 1913 C 89 s 4092a(2)]

Penalty.—Any parent, guardian or other person violating the provisions of this act [s 4092a subsections 1–11] shall be guilty of a misdemeanor, and upon conviction shall be liable to a fine of not less than five dollars nor more than twenty-five dollars, and upon failure or refusal to pay such fine said parent, guardian, or other person shall be imprisoned not to exceed thirty days in the county jail: *Provided*, That the fine for any first offense may, upon the payment of costs, be suspended and not collected until the same party is convicted of a second offense: *Provided further*, That after the expiration of three days from the service of the notice by the attendance officer each and every day a parent, guardian, or other person shall willfully and unlawfully keep such child or children from school, or allow him to remain out of school, shall con-

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stitute a separate offense and shall subject said person to penalties herein prescribed. [P R 1908 Supp 1913 C 89 s 4092a(4)]

Enforcement: duties of attendance officers, superintendents, principals, etc.; evidence of violation.—The county board of education in each county shall appoint and remove at will an attendance officer in each township to enforce the provisions of this act [s 4092a subsections 1–11]. It shall be the duty of the school committee or [sic] district to furnish each superintendent, principal, or teacher in charge of each school, and to furnish also the attendance officer of each township and the county superintendent, with an accurate school census of each school district at the opening of the school in said township or district each year. The superintendent, principal, or teacher in charge of any school shall at the end of each week serve written or printed notice upon every parent or guardian or other person having in charge any child within the compulsory attendance age, notifying him of the absences of such child during the week and shall file copies of all such notices with the attendance officer immediately; and said parent, guardian, or person shall be required to render promptly to such superintendent, principal, or teacher in charge of the school the excuse or cause of absence of such child. The failure of such parent, guardian, or person to render satisfactory excuse within three days after the mailing or serving such notice shall be prima facie evidence of the violation of this act in case of any prosecution of such person under this act; and shall subject such person to prosecution therefor and to the payment of the costs incurred in such prosecution. The names of all persons failing to render satisfactory legal excuse shall be reported immediately to the attendance officer. Prosecutions under this act shall be brought by the attendance officer in the name of the State of North Carolina before any justice of the peace, or police justice, or recorder of any county, town, or township, in which the person prosecuted resides. Upon failure of any attendance officer to prosecute, the county superintendent, upon report and recommendation of principal or teacher in charge or of the school committee, shall prosecute for violation of this act. The attendance officer shall keep an accurate record of all notices served, all cases prosecuted, and all other services performed, and shall make an annual report of same to the county board of education. In the discretion of the county board of education, the attendance officer shall be allowed reasonable compensation from the county school fund for such services as are required of him under this act, compensation for which is not specifically provided for herein: *Provided*, That in case the county board of education shall appoint a school committeeman or township constable as attendance officer, the duties of such officer herein prescribed are hereby declared to be a part of his duties *ex officio: Provided further*, That the school committee or board of trustees of any school in any town or city of five thousand or more inhabitants, operating its schools under special charter, is hereby authorized and empowered, if in their judgement such action is wise, to appoint an attendance officer for the schools under their direction, fix his compensation, and pay the same out of the special tax school funds of said town or city, and assign to him other duties in addition to those enumerated above. [P R 1908 Supp 1913 C 89 s 4092a(5) as reenacted by 1915 C 236 s 3(b)]

Enforcement: duties of attendance officers, principals, teachers, etc.; penalty; evidence of violation.—It shall be the duty of all principals and teachers to cooperate with the attendance officers in the enforcement of this law [4092a subsections 1–11]. To this end it shall be the duty of the principal or teacher in charge in every school in which pupils between the ages of eight and twelve years are instructed to keep an accurate record of the attendance of such pupils. On or before the fourth Monday of each calendar month during the compulsory attendance term of each school the superintendent, principal or teacher in charge of each school in each township shall report to the attendance officer of said township and the county superintendent the names of all children that have been absent without legal excuse during said month, the number of absences of each child together with the name of the parent, guardian, or person in charge of said child. The said township attendance officer shall immediately upon receipt of said report notify each of said parents, guardians, or other persons having in charge such reported children to meet him at a designated place in said township at a designated hour on Saturday following said fourth Monday for the purpose of explaining the cause of such absence of such children, and said attendance officer, after hearing and passing upon the excuses rendered, shall proceed with the prosecution as provided for in this act against those parents, guardians, or other persons who fail to render legal excuse for the absence of such reported children. Said attendance officer shall be paid out of the general school fund of the county two dollars for his services rendered on said day for said purpose. The failure of any parent, guardian, or other person in charge of any child that has been reported absent, with-

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out excuse, to meet said attendance officer on said day without satisfactory excuse rendered shall be prima facie evidence of the violation of the provisions of this act and shall subject him to prosecution hereunder and to the penalty prescribed herein. Upon the willful or negligent failure of any principal or teacher in charge of any school to comply with the provisions of this section, the county superintendent shall deduct from his or her salary for the current month the sum of five dollars before approving the voucher therefor. [P R 1908 Supp 1913 C 89 s 4092a(6) as reenacted by 1915 C 236 s 3(c)]

Application of act.—This act [s 4092a subsections 1–11] shall not affect or in any part repeal any existing special or local laws requiring compulsory attendance in any county or school district: *Provided*, The provisions of this act shall apply to Mitchell County. [P R 1908 Supp 1913 C 89 s 4092a(8)]

Children from 7 to 15 in Polk County.—This bill [s 4092a subsections 1–11] shall apply to all children in Polk County between the ages of seven and fifteen years. [P R 1908 Supp 1913 C 89 s 4092a(9)]

Enforcement: powers of county boards of education.—The board of education of each county shall have power at their regular meeting held in July of each year, and thereafter at any regular meeting, to make such rules and regulations as they may deem best to secure the attendance of all children between the ages of eight and twelve years upon schools of the county, and such rules and regulations, when approved by the county superintendent of public instruction, and posted at the courthouse door and at the door of each public schoolhouse in the county, shall supersede any provision of this act in conflict therewith. [P R 1908 Supp 1913 C 89 s 4092a(11)]

SCHOOL CENSUS

Enumeration of children of school age.—The school committee of each township or district is hereby required to furnish annually to the county superintendent of schools a census report of all the children of school age in the township or district by name, age, sex and race, and the names of their parents or guardians. The blanks upon which such reports are to be made shall be furnished to the various school committees by the county superintendent at least two weeks prior to the beginning of the school term in each district, and the report, duly sworn to by the person taking the census, and signed and approved by the members of the committee, shall be returned to the county superintendent on or before the first day of the school term of each school year; and any committee failing to comply with the provisions of this section, without just cause, shall be subject to removal. The school committee is authorized to designate one of the teachers, or some other competent person in each school district, to take the census. The committeeman, or other person taking the census, shall be allowed a sum not exceeding three cents per name for all names reported between the ages of six and twenty-one. The committee shall furnish to the teacher at the opening of the school a complete copy of the census furnished to the county superintendent, which shall be recorded by the teacher in the school register. The census record entered in the register shall show the name, age, and sex of each child of school age in that district, together with the names and addresses of the parents or guardians. The census report shall show also the number of children of compulsory attendance age, and the committee shall furnish the attendance officer a separate list of all children subject to compulsory attendance, containing the name, age, race, and sex of each and the name of their parents or guardians. There shall also be reported, by race and sex, the number and names of all persons between the ages of twelve and twenty-one who can not read and write and the number and names, by race and sex, of all persons over twenty-one years of age who can not read and write, and the number of deaf and dumb and blind between the ages of six and twenty-one years, designating the race and sex and the address of the parents or guardians of such children. * * * [P R 1908 Supp 1913 C 89 s 4148 as reenacted by 1915 C 236 s 1(f)]

MINES

MINIMUM AGE

Employment under 12 prohibited.—No minor under twelve years of age shall be allowed to work in any mine, and in all cases of minors applying for work the agent of such mine shall see that the provisions of this section are not violated; and the inspector may, when doubt exists as to the age of any person found working in any mine,

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examine under oath such person and his parents, or other witnesses, as to his age. [P R 1908 C 103 s 4931]

Penalty; action for damages.—For any injury to person or property occasioned by any willful violation of this chapter [s 4930–4952], or any willful failure to comply with its provisions, by any owner, agent or manager of the mine, a right of action shall accrue to the party injured for any damage he may have sustained thereby; and in any case of loss of life by reason of such willful neglect or failure aforesaid, a right of action shall accrue to the personal representative of the deceased, as in other actions for wrongful death. [P R 1908 C 103 s 4942]

Enforcement: commissioner of labor and printing to be mine inspector.—The commissioner of labor and printing shall perform the duties of mine inspector as provided in this chapter [s 4930–4952]. [P R 1908 C 103 s 4943]

Enforcement: duties of mine inspector.—It shall be the duty of the inspector to examine all the mines in the State as often as possible to see that all the provisions and requirements of this chapter [s 4930–4952] are strictly observed and carried out. * * * [P R 1908 C 103 s 4944]

Enforcement: powers of mine inspector.—For the purpose of making the inspection and examinations provided for in this chapter [s 4930–4952], the inspector shall have the right to enter any mine at all reasonable times, by night or by day, but in such manner as shall not unnecessarily obstruct the working of the mine; and the owner or agent of such mine is hereby required to furnish the means necessary for such entry and inspection; the inspection and examination herein provided for shall extend to fire-clay, iron ore and other mines as well as coal mines. [P R 1908 C 103 s 4945]

Application of act.—The provisions of this chapter [s 4930–4952] shall not apply to or affect any mine in which not more than ten men are employed at the same time; but the inspector shall at all times have free ingress to such mines for the purpose of examination and inspection, and shall direct and enforce any regulation in accordance with the provisions of this chapter that he may deem necessary for the safety of the health and lives of the miners employed therein. [P R 1908 C 103 s 4952]

Penalty.—If any person shall knowingly violate any of the provisions of the law relating to mines * * * he shall be guilty of a misdemeanor, and upon conviction fined not less than fifty dollars or imprisoned in the county jail not more than thirty days, or both. [P R 1908 C 81 s 3797]

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NORTH DAKOTA

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FACTORIES, WORKSHOPS, AND MINES

MINIMUM AGE

Employment under 12 prohibited.—The labor of children under twelve years of age shall be prohibited in mines, factories and workshops in this State. [Constitution article 17 section 209]

NOTE.—[For prohibition under 14 of employment in mines, factories, and workshops, see Compiled Laws, 1913, section 1404.]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of unmarried persons from 6 to 21.—The school board shall cause an enumeration to be made between the first and twentieth day of June of each year, of all unmarried persons of school age, being over six and under twenty-one, having their legal residence in the district, giving the names and ages of such persons and the names of parents and guardians having the care and custody of each * * *. The enumeration shall be made upon and in accordance with the blanks furnished therefor by the county superintendent, and shall be returned to the county superintendent prior to the tenth day of July. [Compiled Laws 1913 section 1195]

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15; exemptions on account of poverty; other exemptions.—Every parent, guardian or other person, who resides in any school district or city, and who has control over any child of or between the ages of eight and fifteen, shall send such child to a public school in each year during the entire time the public schools of such district or city are in session * * *: *Provided*, That such parent, guardian or other person having control of any child shall be excused from such duty by the school board of the district or by the board of education of the city or village whenever it shall be shown to their satisfaction subject to appeal as provided by law that one of the following reasons therefor exists:

1. That such child is taught for the same length of time in a parochial or private school, approved by the county superintendent of schools subject to appeal to the superintendent of public instruction; that no school shall be approved by the county superintendent of schools or superintendent of public instruction unless the branches usually taught in the common schools are taught in such schools.
2. That such child is actually necessary to the support of the family.

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3. That such child has already acquired the branches of learning taught in the public schools.

4. That such child is in such a physical or mental condition (as declared by a licensed physician, if required by the board) as to render such attendance inexpedient or impracticable.

5. If no school is taught the requisite length of time within two and one-half miles of the residence of such child by the nearest route such attendance shall not be enforced, except in cases of consolidated schools, where the school board has arranged for the transportation of pupils * * *: *Provided*, That when provision has been made for the transportation of pupils by the school board of any district agreeably to the provisions of this chapter [s 1105–1422], the pupils residing therein shall be amenable to the provisions of law requiring the attendance at school of such pupils: *Provided further*, That the provisions for transportation shall not apply to deaf, blind and feeble-minded children in this State, and this section shall not be construed to apply to parents, guardians or other persons having control of any child or children between the ages of eight and fifteen, who desire to send such child or children for a total period of not exceeding six months, which may be taken in one or more years, to any parochial school for the purpose of preparing such child or children for certain religious duties * * *. [C L 1913 s 1342]

Penalty.—Any such parent, guardian or other person failing to comply with the requirements of the foregoing sections [s 1342], shall upon conviction thereof be deemed guilty of a misdemeanor, and shall be fined in a sum not less than five nor more than twenty dollars for the first offense and not less than ten dollars nor more than fifty dollars for the second and every subsequent offense, with costs in each case. [C L 1913 s 1344]

Enforcement: duties of school authorities.—It shall be the duty of the superintendent or principal of schools in any city, town or village, or the teacher of any district school, or the county superintendent of schools for children that are deaf, blind, or feeble-minded, to inquire into all cases of negligence of the duty prescribed in this article [s 1342–1346] and to ascertain from the person neglecting to perform such duty the reason therefor, if any, and in the common school districts notify the county superintendent of schools of such neglect; the said county superintendent, upon proper presentation of facts, shall lay the complaint before the State's attorney, whose duty it will be to proceed forthwith to secure the prosecution for any offense occurring under this article. In special or independent districts the superintendent or principal of schools shall lay the complaint before the State's attorney who shall proceed as above: *Provided further*, That the board of education or district school board in any city or school district of over five hundred inhabitants may employ a truant officer who shall perform the duties implied in this section. [C L 1913 s 1345]

FACTORIES, MERCANTILE ESTABLISHMENTS, WORKSHOPS, MINES, ETC.

MINIMUM AGE

Employment under 14 prohibited in these occupations, in messenger service, etc., and in any business or service during school hours.—No child under fourteen years of age shall be employed, permitted or suffered to work in or in connection with any mine, factory, workshop, mercantile establishment, store, business office, telegraph office, restaurant, hotel, apartment house or in the distribution or transmission of merchandise or messages. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever, during the hours when the public schools of the district in which the child resides are in session. [C L 1913 s 1404]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required from 14 to 16; certificates to be returned to child or parent, etc.; proof of age may be required for children apparently under 16; evidence of illegal employment.—No child between fourteen and sixteen years of age shall be employed, permitted or suffered to work in any mine, factory, workshop or mercantile establishment unless the person or corporation employing him procures and keeps on file, and accessible to the superintendent of schools of the city or village, if one is employed, otherwise, to the clerk of the school board or board of education, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children

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employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such child is employed. On termination of the employment of a child so registered and whose certificate is so filed, such certificate shall be forthwith surrendered by the employer to the child or its parent, or guardian or custodian. The superintendent of schools or clerk of the school board or board of education, as the case may be, may make demand on an employer in whose factory a child apparently under the age of sixteen years is employed or permitted or suffered to work and whose employment certificate is not then filed as required by this act [s 1404–1414], that such employer shall either furnish him within ten days evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such factory. The superintendent of schools of the city or village or clerk of the school board or board of education may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the superintendent of schools of the city or village or the clerk of the school board or board of education, as the case may be, within ten days after such demand, such evidence of age herein required by him, and shall thereafter continue to employ such child or permit or suffer such child to work in such factory, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this act that such child is under sixteen years of age and is unlawfully employed. [C L 1913 s 1405]

School authorities to issue certificates; exceptions.—The superintendent of schools of the city or village, if one is employed, and if not, then the clerk of the school board or board of education, is hereby authorized to issue an employment certificate in writing, such certificate is to be issued upon the evidence prescribed in section * * * [1407]: *Provided*, That no employment certificate shall be issued for any child then in or about to enter his own employment or the employment of a firm or corporation of which he is a member, officer or employee. [C L 1913 s 1406]

Method of issuing certificates; age, school, and health records required.—The person authorized to issue employment certificate[s] shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed:

1. The school record of such child properly filled out and signed as provided in this act [s 1404–1414].

2. A passport or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child.

3. The affidavit of the parent or guardian or custodian of a child, which shall be required, however, only in case such last mentioned transcript of the certificate of birth be not produced and filed, showing the place and date of birth of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. Such employment certificate shall not be issued until such child has personally appeared before and been examined by the officer issuing the certificate, and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every such employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. [C L 1913 s 1407]

Contents of certificates.—Such certificates shall state the date and place of birth of the child and describe the color of the hair and eyes, the height and weight and any distinguishing marks of such child, and that the papers required by the preceding section have been duly examined, approved and filed and that the child named in such certificate has appeared before the officer signing the certificate and been examined. [C L 1913 s 1408]

Contents of school record; educational requirements.—The school record required by this act [s 1404–1414] shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished, on demand, to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended

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the public schools or schools equivalent thereto or parochial schools for not less than one hundred and twenty days during the school year previous to his arriving at the age of fourteen years or during the year previous to applying for such school record and is able to read and write simple sentences in the English language and has received during such period instruction in reading, spelling, writing, English grammar and geography and is familiar with the fundamental operations of arithmetic up to and including fractions. Such school record shall also give the age and residence of the child as shown on the records of the school and the name of its parent, guardian or custodian. [C L 1913 s 1409]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, and night work prohibited, under 16; hours to be posted.—No persons under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than forty-eight hours in any one week, nor more than eight hours in any one day; or before the hour of seven o'clock in the morning or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the superintendent of schools of the city or village, or the clerk of the school board or board of education, and the employment of any minor for longer times in any day so stated shall be deemed a violation of this section. [C L 1913 s 1410]

FACTORIES, MERCANTILE ESTABLISHMENTS, MINES, AND WORKSHOPS

ENFORCEMENT

Duties and powers of peace officers.—Peace officers may visit mines, factories, workshops and mercantile establishments in their several towns and cities and ascertain whether any minors are employed therein contrary to the provisions of this act [s 1404–1414]; and it shall be their duty to report any cases of such illegal employment to the school board or board of education. Such officer may require that the employment certificates and lists provided for in this act of minors employed in such factories, mines, workshops or mercantile establishments shall be produced for their inspection. Complaints for offenses under this act may be made by such peace officer or by any other person cognizant of the facts. [C L 1913 s 1411]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, mines, theaters, places of amusement where intoxicating liquors are sold, etc.; constant standing prohibited for girls under 16.—No child under the age of sixteen years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever; nor shall any child adjust any belt to any machinery, they shall not oil or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood shapers, wood-joiners, [jointers] planers, sandpaper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alleys; they shall not operate or assist in operating dough brakes, or cracker machinery of any description; wire or iron straightening machinery; nor shall they operate or assist in operating rolling mill machinery, punches or shears, washing, grinding or mixing mill or calendar [calender] rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall children be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or

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white lead; nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment that may be considered dangerous to their lives or limbs, or where their health may be injured, or morals depraved; nor in any theater, concert hall, or place of amusement wherein intoxicating liquors are sold; nor shall females under sixteen years of age be employed in any capacity where such employment compels them to remain standing constantly. [C L 1913 s 1412]

REGULATED OCCUPATIONS

PENALTIES

Illegal employment, false statements, etc.—Each owner, superintendent, manager or overseer of any mine, factory, workshop or mercantile establishment, and any other person who shall employ any child contrary to the provisions of this act [s 1404–1414] or who shall in any manner violate the provisions thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense in a sum not less than twenty dollars nor more than fifty dollars and costs. Each person authorized to sign a certificate as prescribed in the preceding section who certifies to any material false statement therein shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty dollars nor more than fifty dollars and costs. [C L 1913 s 1413]

ALL OCCUPATIONS

WAGES

Minor entitled to wages until claimed by parent.—The wages of a minor employed in service may be paid to him or her until the parent or guardian entitled thereto gives the employer notice that he claims such wages. [C L 1913 s 4437]

RAILROADS AND COMMON CARRIERS[1]

HOURS OF LABOR

Period of rest after 16 hours' work; exceptions.—It shall be unlawful for any railroad, railroad corporation or common carrier, engaged in commerce in whole or in part within this State, or any of its officers or agents, to require or permit any employees engaged in or connected with the movement of any train in which commerce is hauled within the State, or to require or permit any employee engaged in or connected with the movement of any train carrying freight or passengers within the State, to remain on duty more than sixteen consecutive hours, except when by casualty, storms, wrecks, washouts, snow blockades or any unavoidable delay arising from like causes he is prevented from reaching his terminal; or to require or permit any such employee who has been on duty sixteen consecutive hours to go on any duty without having at least eight hours' rest. [C L 1913 s 4668]

Enforcement: duties of railroad commissioners, etc.; penalty.—Any such railroad, railroad corporation, common carrier, or any of its officers or agents, violating any of the provisions of this article [s 4668–4669] shall be deemed guilty of [a] misdemeanor and shall, upon conviction thereof in any district court of the State of competent jurisdiction, be subject to a fine of not less than one hundred dollars nor more than one thousand dollars for each offense; and it shall be the duty of the railroad commissioners to fully investigate all cases of any violation of this article and said railroad commissioners shall forthwith notify the attorney general of such violation thereof as may come to their knowledge, and it shall be the duty of the attorney general to prosecute or cause to be prosecuted all violations thereof. [C L 1913 s 4669]

[1] See court decision on page 7 (New York).

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IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature by children under 18 prohibited; parent, employer, etc.—Every person who either:

* * * * * * *

5. Hires, uses or employs a child to sell, give away or in any manner to distribute; or,

6. Having the care, custody or control of a child, permits such child to sell, give away or in any manner to distribute: Any work, pamphlet, magazine, newspaper, story paper or other print or publication devoted to the dissemination or principally made up of criminal news, police reports or accounts of criminal deeds, or pictures and accounts of stories or deeds of bloodshed, lust or crime, is guilty of a misdemeanor. [C L 1913 s 9652]

Penalty.—Every person convicted of any of the offenses mentioned in the last section is punishable by imprisonment in the county jail not exceeding six months or by a fine not exceeding five hundred dollars, or both. [C L 1913 s 9653]

Definition of child.—The term "child," employed in this chapter [s 9652–9655], imports any person not exceeding eighteen years of age. [C L 1913 s 9655]

Employment in billiard or pool rooms, etc., prohibited under 18; penalty.—It shall be unlawful for any owner or keeper of any pool or billiard hall, or any bowling alley or any temperance saloon, or any place under any name whatever where the games of pool, billiards, bowling or cards are played, to allow any person under the age of eighteen years * * * to be employed in said places * * *. Any person found guilty of violating this section shall be punished by a fine of not less than five dollars or more than fifty dollars, or imprisonment in the county jail not to exceed thirty days, or both such fine and imprisonment. [C L 1913 s 9689]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours a day under 14; longer hours not to be compulsory for boys under 18 and girls of any age; penalty.—Every owner, stockholder, overseer, employer, clerk or foreman of any manufactory, workshop or other place used for mechanical or manufacturing purposes, who, having control, shall compel any woman or any child under eighteen years of age, or permit any child under fourteen years of age, to labor in any day exceeding ten hours, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding one hundred and not less than ten dollars. [C L 1913 s 10246]

NOTE.—[For prohibition under 16 of employment in any gainful occupation more than eight hours a day, see section 1410.]

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***Note.*—[*The duties, authority, powers, etc., relating to the enforcement of labor laws heretofore exercised by the commissioner of labor statistics, inspectors of factories and workshops, etc., have been transferred by section 11, page 95, Acts of 1913, to the industrial commission. In every case the new enforcing authority has been indicated by an insertion in brackets in the text, the former enforcing powers being omitted.*]

ALL OCCUPATIONS

MINIMUM WAGE AND HOURS AND CONDITIONS OF LABOR

Laws may be enacted.—Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage, and providing for the comfort, health, safety and general welfare of all employees; and no other provision of the constitution shall impair or limit this power. [Constitution amendment of 1912 article 2 section 34]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Powers of the industrial commission; hindering commissioners, etc., prohibited.—Any commissioner or deputy of the commission [industrial commission] may enter any place of employment for the purpose of * * * examining the provisions made for the health, safety, and welfare of the employees therein, and bring to the attention of every employer any law, or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner or deputy of the commission to his place of employment. [Page & Adams Annotated General Code 1912 section 871-20 as added by 1913 page 95]

Powers of the industrial commission.—The industrial commission of Ohio is vested with the power and jurisdiction * * * to have such supervision of every employment and place of employment and of every other building and establishment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders * * * requiring the protection of the life, health, safety and welfare of every employee in such employment or place of employment, * * * including

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the power to regulate the hours of labor of employees in such employments and places of employment, with regard to the health and welfare of such employees to such extent as the nature of the employment will reasonably permit, not inconsistent with law. [P & A A G C 1912 s 871–21 as added by 1913 p 95]

Duties and powers of the industrial commission.—It shall also be the duty of the industrial commission, and it shall have full power, jurisdiction and authority:

* * * * * * *

(2) * * * To administer and enforce the general laws of this State relating to mines, manufacturing, mechanical, electrical, art and laundering establishments, child labor, employment of minors, * * * employment of females, hours of labor, licensed occupations and school attendance, and all other laws protecting the life, health, safety and welfare of employees in employments and places of employment, * * * or relating to the health and safety of persons occupying or assembled in the structures named above * * *.

(3) To investigate, ascertain, and * * * to declare and prescribe what hours of labor * * * are best adapted to render the employees of every employment and place of employment * * * safe, and to protect their welfare as required by law or lawful orders * * *. [P & A A G C s 871–22 as added by 1913 p 95 and amended by 1915 p 508]

Duties and powers relating to enforcement of labor laws transferred to the industrial commission.—All duties, liabilities, authority, powers and privileges conferred and imposed by law upon the commissioner of labor statistics, special agents for the commissioner of labor statistics, chief inspector of mines, district inspectors of mines, chief inspector of workshops and factories, first assistant chief inspector of workshops and factories, second assistant chief inspector of workshops and factories, district inspectors of workshops and factories * * * are hereby imposed upon the industrial commission of Ohio and its deputies. * * * All laws relating to the commissioner of labor statistics, special agents of the commissioner of labor statistics, chief inspector of mines, district inspector of mines, chief inspector of workshops and factories, first assistant chief inspector of workshops and factories, second assistant chief inspector of workshops and factories, district inspector of workshops and factories * * * shall apply to, relate and refer to the industrial commission of Ohio, and its deputies. * * * [P & A A G C 1912 s 871–24 as added by 1913 p 95]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places.—No person connected with a private employment agency shall send a female or cause her to be sent to a place of bad repute, house of ill-fame or assignation house, or a house or place of amusement kept for immoral purposes. [P & A A G C 1912 s 891]

Application of act.—Except an employment agency of a charitable organization, a person, firm or corporation furnishing or agreeing to furnish employment or help, or displaying a sign or bulletin, or offering to furnish employment or help through the medium of a circular, card or pamphlet, shall be deemed a private employment agency, and subject to the laws governing such agencies. [P & A A G C 1912 s 893]

Penalty.—Whoever violates any provision of law relating to private employment agencies shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [P & A A G C 1912 s 895]

Enforcement: duties of the industrial commission.—The [industrial commission] shall enforce the laws relating to private employment agencies, and when informed of a violation of such laws, institute proceedings in a court of competent jurisdiction to enforce their penalties. [P & A A G C 1912 s 896]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties of the industrial commission.—The [industrial commission] * * * shall enforce the provisions of this chapter [s 979–1038] and the laws relating to workshops, factories and public buildings, prosecute violations thereof and perform such other duties as are required of [it] by law. [P & A A G C 1912 s 980]

Powers of the industrial commission.—For the purpose of an inspection or examination required * * * by law, the [industrial commission] at reasonable hours may enter

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a shop or factory, a State institution having a shop or factory, a bakery * * *. [P & A A G C 1912 s 994]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR AND SEATS FOR GIRLS

Ten hours a day, 54 a week; time for midday meal required; establishments canning perishable goods excepted; seats to be provided and their use permitted.—Every person, partnership or corporation employing females in any factory, workshop, business office, telephone or telegraph office, restaurant, bakery, millinery or dressmaking establishment, mercantile or other establishments shall provide a suitable seat for the use of each female so employed and shall permit the use of such seats when such female employees are not necessarily engaged in the active duties for which they are employed and when the use thereof will not actually and necessarily interfere with the proper discharge of the duties of such employees, such seat to be constructed, where practicable, with an automatic back support and so adjusted as to be a fixture but not obstruct employees in the performance of duty, and shall further provide a suitable lunch room, separate and apart from the work room, and in establishments where lunch rooms are provided, female employees shall be entitled to no less than thirty minutes for mealtime: *Provided*, That in any establishment aforesaid in which it is found impracticable to provide a suitable lunch room, as aforesaid, female employees shall be entitled to not less than one hour for meal time during which hour they shall be permitted to leave the establishment. Females over eighteen years of age shall not be employed or permitted or suffered to work in or in connection with any factory, workshop, telephone or telegraph office, millinery, or dressmaking establishment, restaurant or in the distributing or transmission of messages or in any mercantile establishment located in any city, more than ten hours in any one day, or more than fifty-four hours in any one week, but mealtime shall not be included as a part of the work hours of the week or day: *Provided however*, That no restriction as to the hours of labor shall apply to canneries or establishments engaged in preparing for use perishable goods. [P & A A G C 1912 s 1008 as amended by 1913 p 555]

Court decisions.—The section of which this is an amendment was held constitutional.—Hawley *v.* Walker, 85 Ohio 494, 232 U. S. 718 (1913).

Under a former section on the above subject an employee, injured by her skirts becoming caught on a revolving shaft under a window on which she was seated, could recover where the master failed to provide suitable seats.—Wheeler *v.* Oak Harbor Head Lining and Hoop Co., 14 Q. F. D. 248, 126 Fed. 348 (1904).

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets and dressing rooms for the sexes; conditions.—The owner or person having charge of the building wherein any female is employed shall provide in each establishment on the same floor or the floor immediately above or immediately below the floor where such employee works, suitable and separate toilet and dressing rooms and water-closets, properly ventilated, for the exclusive use of such employees. Such toilet and dressing rooms and water-closets shall be situated together, with one water-closet for every twenty-five females or less, and where there are more than twenty-five females employed, additional water-closets shall be provided in the same ratio; no toilet or dressing room or water-closet shall be placed in the basement or cellar unless females are actually and regularly employed therein, and unless such basement or cellar is properly ventilated. [P & A A G C 1912 s 1009]

Separate toilets and dressing rooms for the sexes; conditions.—In cities, towns and villages not provided with water works and sewage, closets in the same ratio as above mentioned in section 1009 shall be placed on the outside of such building, at a distance not to exceed fifty and not less than twenty feet from such building, with suitable and separate toilet and dressing rooms in such building, or such building may be provided with a dry closet system at the same ratio provided in section 1009, all closets to be supplied with disinfectants and kept in good sanitary condition at all times. [P & A A G C 1912 s 1010]

ENFORCEMENT AND PENALTY

Duties of industrial commission; penalty for violation of three preceding sections.—Any person, partnership or corporation or agent thereof, who shall violate any of the provisions of this act [s 1008–1011], shall upon conviction be fined not less than

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twenty-five dollars, nor more than two hundred dollars. It shall be the duty of the [industrial commission] to see that the provisions of this act are enforced. * * * [P & A A G C 1912 s 1011]

ALL OCCUPATIONS

ENFORCEMENT

Liability for damages.—In all such actions [actions for personal injuries, etc.] where a minor employee has been employed or retained in employment contrary to any statute or law of the State or United States, such employee shall not be deemed or held to have been guilty of contributory negligence, nor to have assumed any of the risks of such employment; but the employer may show by way of defense any fraud or misrepresentation made by such employee. [P & A A G C 1912 s 6245–2]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

HEALTH OF MINORS

Certificate of physical fitness may be required for boy under 16 and girl under 18.—A child working in or in connection with a factory, workshop, business office, telephone or telegraph office, restaurant, bakery, hotel, apartment house, mercantile or other establishment or in the distribution or transmission of merchandise or messages, who appears to the [industrial commission] to be under the legal age, or refuses to give such [commission] his or her name, age and place of residence, shall be forthwith conducted by such [commission] to the office of the judge of the juvenile or probate court for examination. If such [commission] is in doubt as to the physical fitness of a boy under sixteen years of age, or a girl under eighteen years of age found working in or in connection with any of such establishments, or in the distribution or transmission of merchandise or messages, [said commission] shall require a certificate signed by a medical officer of the board of health certifying that such child is of sound health and physically able to perform the work or service such child is required to do. Such certificate shall be signed by the child in whose name it is issued in the presence of the officer issuing it, and such examination shall be made and certificate issued without expense to said child. [P & A A G C 1912 s 6246]

ENFORCEMENT

Appointment of female visitors.—The [industrial commission] with the approval of the governor, shall designate eight female visitors and make such rules and regulations for their direction and guidance as shall secure uniformity of action and proceedings throughout the State. * * * [P & A A G C 1912 s 6247]

Duties of female visitors.—Such visitors, as provided in the next preceding section, shall visit all shops and factories in their respective districts in which women or children are employed, including mercantile establishments, as often as possible, to see that the provisions and requirements of the laws relating to the employment of women and children are strictly observed and carried out. * * * [P & A A G C 1912 s 6248]

Powers of female visitors.—Such visitors may enter all shops, factories and mercantile establishments, including public institutions of the State which have shops and factories or either, at any reasonable time for the purpose of making the inspection provided in the next preceding section. If they find upon such inspection, that any of the provisions of law relating to buildings, factories or the employment of women or children are being violated or that the heating, lighting, ventilating or sanitary arrangements for women and children of a shop, factory or mercantile establishment are such as to be injurious to the health of such women or children employed or residing therein, they shall notify the [industrial commission] who may notify the owner, proprietor or agent of such shop, factory or mercantile establishment, as provided by law, and may proceed to prosecute such violation of law. [P & A A G C 1912 s 6249]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement: powers of the industrial commission.—The [industrial commission] shall have like authority as is vested in the truant officer of a school district, to enforce school attendance of a child found violating the school laws, or [said commission] shall make complaint of such violation to such truant officer or the clerk of the board of education in said district. [P & A A G C 1912 s 6250]

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Subjects to be taught.—All parents, guardians and other persons who have care of children, shall instruct them, or cause them to be instructed in reading, spelling, writing, English grammar, geography and arithmetic. [P & A A G C 1912 s 7762]

Boys from 8 to 15 and girls from 8 to 16; exceptions.—Every parent, guardian or other person having charge of any child between the ages of eight and fifteen years of age if a male, and sixteen years of age, if a female, must send such child to a public, private or parochial school, for the full time that the school attended is in session, which shall in no case be for less than twenty-eight weeks. Such attendance must begin within the first week of the school term, unless the child is excused therefrom by the superintendent of the public schools, or by the principal of the private or parochial school, upon satisfactory showing either that the bodily or mental condition of the child does not permit of its attendance at school, or that the child is being instructed at home by a person qualified, in the opinion of such superintendent or clerk, as the case may be, to teach the branches named in the next preceding section. [P & A A G C 1912 s 7763 as amended by 1914 p 232]

Court decision.—Parent not complying with board of education's order to vaccinate child is not amenable to compulsory education act.—State *v.* Turney, 31 Ohio Cir. Ct. 222, 12 O. N. P. 33 (1910).

Penalty.—Whoever, being a parent, guardian, or other person having the care of a child between the age of eight and fourteen[1] years, fails to place such child in a public, private or parochial school at the commencement of the annual school term, in accordance with the law relating to compulsory education and within the time prescribed in such law, shall be fined not less than five dollars nor more than twenty dollars. Upon failure or refusal to pay such fine, said parent, guardian, or other person shall be imprisoned in jail not less than ten days nor more than thirty days. [P & A A G C 1912 s 12974]

Boys from 15 to 16 if not regularly employed; powers of juvenile court judges.—In case such superintendent, principal or clerk refuses to excuse a child from attendance at school, an appeal may be taken from such decision to the judge of the juvenile court of the county, upon the giving of a bond, within ten days thereafter, to the approval of such judge, to pay the costs of the appeal. His decision in the matter shall be final. All children between the ages of fifteen and sixteen years, not engaged in some regular employment, shall attend school for the full term the schools of the district in which they reside are in session during the school year, unless excused for the reasons above named. [P & A A G C 1912 s 7764 as amended by 1913 p 864]

ALL OCCUPATIONS

EMPLOYMENT CERTIFICATES

Age and school certificates required for boys under 16 and girls under 18.—No boy under sixteen years of age and no girl under eighteen years of age shall be employed or be in the employment of any person, company or corporation unless such child presents to such person, company or corporation an age and school certificate herein provided for, as a condition of employment. Such employer shall keep the same on file in the establishment where such minor is employed for inspection by the truant officer or officers of the [industrial commission]. [P & A A G C 1912 s 7765 as amended by 1913 p 864]

School authorities to issue certificates; age, school, and health records, and promise of employment required; certificates to be returned to issuing office; list to be sent to industrial commission; method of issuing; records of issuing office; vacation certificates.—An age and schooling certificate shall be approved only by the superintendent of schools, or by a person authorized by him, or, in case of vacancy in the office of superintendent, by the clerk of the board of education, upon satisfactory proof that such child, if a male, is over fifteen years of age or, if a female, is over sixteen years of age and that such child has been examined and passed a satisfactory sixth-grade test, if a male, a seventh-grade test, if a female, in the studies enumerated in section seventy-seven hundred and sixty-two: *Provided*, That residents of other States who work in Ohio must qualify as aforesaid with the proper school authority in the school district in which the establishment is located, as a condition of employment or service, and that the employment contemplated by the child is not prohibited by any law regulating the employment of such children. Every such age and schooling certificate shall be signed in the presence of the officer issuing the same by the child in whose name it is

[1] The compulsory school law as amended in 1913 (again amended in 1914) made the age period for boys from 8 to 15 and for girls from 8 to 16, but this penalty was not amended.

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issued. In order to ascertain whether applicants for such certificates have satisfactorily completed the studies herein prescribed as a condition for the issuance of said certificates the board of education of each city school district may appoint a juvenile examiner who shall receive such compensation as may be fixed by the board of education. No such child residing in a city shall be granted such certificate unless such juvenile examiner shall have previously certified that he has examined such child and that he has passed to his satisfaction the grade test as provided by this section: *Provided further*, That if a child in the opinion of said juvenile examiner is below the normal in mental development so that he can not with due industry pass such test, and if the school record shows that such child is below the normal in development, such fact may be certified to by said examiner, and the superintendent or person authorized by him may at his discretion grant such child such age and schooling certificate: *Provided*, That if said examiner is satisfied that the standard of any school is sufficiently high, he may accept the records thereof as showing that such child has passed such test without further examination. The age and schooling certificate must be formulated by the superintendent of public instruction, and furnished in blank by the clerk of the board of education. It shall show the date of its issue. A record giving all the facts contained on every certificate issued shall be kept on file in the office issuing the same, and also a record of the names and addresses of the children to whom certificates have been refused, together with the names of the schools which such children should attend and the reasons for refusal. The superintendent of schools or other persons authorized to issue employment certificates shall transmit between the first and tenth days of each month, to the office of the industrial commission, upon blanks to be furnished by it, a list of the names of the children to whom certificates have been issued, returned or refused. Such lists shall give the name and address of the prospective employer and the nature of the occupation the child intends to engage in. Any child between fifteen and sixteen years of age, who shall cease to work for any cause whatever, shall report the fact and cause at once to the superintendent of schools; or to a person authorized by him or, in case there is a vacancy in the office of superintendent, to the clerk of the board of education; said child shall be required to return to school within two weeks, provided other employment is not secured within such time: *Provided*, That should a child in the opinion of the superintendent or person acting in his stead, lose his employment by reason of persistent, willful misconduct or continuous inconstancy, he may be placed in school until the close of the current school year. The superintendent of schools or the person authorized by him to issue age and schooling certificates, shall not issue such certificates until he has received, examined, approved and filed the following papers duly executed:

(1) The written pledge or promise of the person, partnership, or corporation to legally employ the child, also the written agreement to return to the superintendent of schools or to the person authorized by him to issue such certificates, the age and schooling certificate of the child within two days from the date of the child's withdrawal or dismissal from the service of the person, partnership or corporation, giving the reason for such withdrawal or dismissal.

(2) The school record of such child, properly filled out and signed by the principal or other person in charge of the school which such child last attended, giving the name, age, address, standing in studies enumerated in section seven thousand seven hundred and sixty-two, and the number of weeks attendance in school during the school year previous to applying for such school record, and general conduct.

(3) As evidence of age (a) a passport or duly attested transcript of a passport, filed with a registrar of passports or other officer charged with the duty of registering passports at the several ports of entry to the United States; or duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of such child; or (b) a duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of the child. (c) In case none of the above proofs of age can be produced, other documentary evidence of age which shall appear to be satisfactory to the officer issuing the certificate, (aside from the school record of such child or the affidavit of parent, guardian or custodian), may be accepted in lieu thereof. In such case a school census or enumeration record, duly attested, may be used as proof of age in the discretion of the officer issuing the certificate. (d) In case no documentary proof of age of any kind can be procured, the officer issuing the certificate may receive and file an application signed by the parent, guardian or custodian of the child for a physician's certificate. Such application shall contain the name, alleged age, place and date of birth, and present resi-

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dence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall contain a statement certifying that the parent, guardian or custodian signing such application is unable to produce any of the documentary proofs of age specified in the preceding subdivisions of this section. If the superintendent or officer authorized by him to issue such certificate, is satisfied that a reasonable effort to procure such documentary proof has been made, the certificate of the school physician, or, if there be none, of a physician employed for the purpose by the board of education that such physician has made a physical examination of such child and is satisfied that he is more than fifteen years of age, if a male, or that she is more than sixteen years of age, if a female, shall be accepted as sufficient proof of the age of such child for the purpose of this act:

(4) A certificate from the school physician or if there should be none, of the board of health, and if there be no board of health within the school district in question, from a licensed physician appointed by the board of education showing that the child is physically fit to be employed in any of the occupations permitted by law for a child between fifteen and sixteen years of age: *Provided*, That if the records of the school physician show such child to have been previously sound in health, no further physician's certificate need be required, but the officer authorized to issue such certificate may at his discretion require such physician's certificate in any case, as a condition to the issuing of an age and schooling certificate.

The superintendent or person authorized by him may issue special vacation certificates to boys under sixteen years of age and girls under eighteen years of age, which shall entitle the holders thereof to be employed during vacation in occupations not forbidden by law to such children even though such child may not have completed the sixth grade: *But provided*, He has complied with all the other requirements for obtaining the certificate hereinbefore described. [P & A A G C 1912 s 7766 as amended by 1914 p 129]

Penalty for employment without certificate, failure to return certificate, etc.—Whoever employs a minor under sixteen years[1] of age before exacting from such minor the age and schooling certificate provided by law, or fails to keep such certificate on file, or who fails to return to the superintendent of schools or the person authorized by him such certificate within two days from such minor's withdrawal or dismissal from his services as provided in section seventy-seven hundred and sixty[2] or to permit a truant officer, upon request therefor, to examine such certificate, shall be fined not less than twenty-five dollars nor more than fifty dollars. [P & A A G C 1912 s 12975]

Penalty for altering birth certificates, etc.—Whoever willfully alters a certificate of birth or death, or a copy thereof on file in the office of the local or State registrar of vital statistics shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned in jail not more than sixty days, or both. [P & A A G C 1912 s 12795]

EDUCATIONAL REQUIREMENTS—ALL OCCUPATIONS

COMPULSORY SCHOOL AND CONTINUATION SCHOOL ATTENDANCE

Boys from 15 to 16 under certain conditions; from 15 to 16 if not employed; from 15 to 16 to attend part time schools if regularly employed.—All minors over the age of fifteen and under the age of sixteen years, who have not passed a satisfactory sixth grade test in the studies enumerated in section seventy-seven hundred and sixty-two, shall attend school as provided in section seventy-seven hundred and sixty-three, and all the provisions thereof shall apply to such minors. In case the board of education of any school district establishes part time day schools for the instruction of youth over fifteen years of age who are engaged in regular employment,[3] such board of education is authorized to require all youth who have not satisfactorily completed the eighth grade of the elementary schools, to continue their schooling until they are sixteen years of age: *Provided however*, That such youth if they have been granted age and schooling certificates and are regularly employed, shall be required to attend school not to exceed eight hours a week between the hours of 8 a. m. and 5 p. m. during the school term. All youth between 15 and 16 years of age, who are not employed, shall be required to attend school the full time. [P & A A G C 1912 s 7767 as amended by 1913 p 864]

[1] The provisions for employment certificates were amended in 1913 and again in 1914 so as to require certificates for girls from 16 to 18, but this penalty was not amended.
[2] The section referred to is probably 7766, as section 7760 relates to the classification of deaf children.
[3] Such schools have been established in Cincinnati, Dayton, and possibly elsewhere.

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Opinion.—It is necessary that the instruction in each of the branches enumerated in section 7762 be in the English language. No other test seems to be contemplated by the statutes; therefore, the boards of education are not authorized to employ interpreters or men who understand various foreign languages to examine minors who speak a foreign tongue, and those who can not take the examinations required in the English language are denied the privilege of working until they have passed the age when no certificate is required.—Attorney General (1913).

Penalty for employer.—Whoever employs, during the time a public, private or parochial school is in session in the school district in which such minor resides, a minor over the age of fourteen [1] and under the age of sixteen years who cannot read and write the English language as provided by law; or whoever, employing such minor, fails forthwith to cease such employment upon notice from a truant officer as provided by law, shall be fined not less than twenty-five dollars nor more than fifty dollars. [P & A A G C 1912 s 12976]

Penalty for parent.—Whoever, being the parent or guardian or other person in charge of a minor between eight and fourteen [1] years of age, or a minor between fourteen [1] and sixteen years of age who has not passed a satisfactory fifth grade test in the studies enumerated in section seventy-seven hundred and sixty-two, or is not regularly employed, upon notice from a truant officer as provided by law, fails to cause such minor to attend a public, private, or parochial school, unless such person proves his inability so to do, shall be fined not less than five dollars nor more than twenty dollars, or the court may in its discretion, require the person so convicted to give a bond in the sum of one hundred dollars, with sureties to the approval of the court, conditioned that he or she will cause the child under his or her charge to attend some recognized school within two days thereafter and to remain at such school during the term prescribed by law; and upon the failure or refusal of any such parent, guardian or other person to pay said fine and costs or furnish said bond according to the order of the court, then said parent, guardian or other person shall be imprisoned in the county jail not less than ten days nor more than thirty days. [P & A A G C 1912 s 12977]

Bond may be required.—The court may require a person violating the next preceding section to give a bond in the sum of one hundred dollars, with sureties to the approval of the court, conditioned that such person will cause such minor to attend such school within two days thereafter, and remain in attendance therein during the term as provided by law. [P & A A G C 1912 s 12978]

Enforcement: duties of truant officers.—The truant officer upon a violation of either of the next two preceding sections shall make complaint against a person violating it in any court having jurisdiction in the city, village, township or special school district in which such violation occurred. [P & A A G C 1912 s 12979]

Penalty for failure to pay fine, etc.—Whoever, being a parent, guardian, or other person convicted of a violation of sections twelve thousand nine hundred and seventy-seven or twelve thousand nine hundred and seventy-eight, fails or refuses to pay the fine and costs, or furnish the bond provided therein, shall be imprisoned in the county jail not less than ten days nor more than thirty days. [P & A A G C 1912 s 12980]

Penalty for teachers, etc.—Whoever, being an officer, principal, teacher, or other person, neglects to perform a duty imposed upon him by the laws relating to compulsory education or employment of minors, for which a specific penalty is not provided by law, shall be fined not less than twenty-five dollars nor more than fifty dollars for each offense. [P & A A G C 1912 s 12981]

General penalty for officer, etc., of a corporation.—Whoever, being an officer or agent of a corporation, violates any provision of law relating to the compulsory education or employment of minors, or participates or acquiesces in, or is cognizant of such violation, where a specific penalty is not otherwise provided by law, shall be fined not less than twenty-five dollars nor more than fifty dollars. [P & A A G C 1912 s 12982]

General penalty.—Whoever violates any provision of law relating to the compulsory education or employment of minors, for which a specific penalty is not provided by law, shall be fined not more than fifty dollars. [P & A A G C 1912 s 12983]

General penalty for second offense.—Whoever, having been convicted of a violation of any provision of law relating to the compulsory education or employment of minors, again violates a provision of such laws, shall be imprisoned not less than ten days nor more than thirty days. [P & A A G C 1912 s 12986]

Enforcement: appointment of truant officers.—To aid in the enforcement hereof, truant officers shall be appointed as follows: In city districts the board of education must appoint and employ a truant officer, and may employ such assistants to such truant officer as may be deemed advisable; in village and rural districts the board of education shall appoint a constable or other person as truant officer. The compensation of

[1] The compulsory school law as amended in 1913 (again amended in 1914) made the age period for boys from 8 to 15 and for girls from 8 to 16, but this penalty was not amended.

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the truant officer and assistants shall be fixed and paid by the board appointing them. [P & A A G C 1912 s 7769 as amended by 1914 p 225]

Enforcement: powers of truant officers.—The truant officer and assistants shall be vested with police powers, and the authority to serve warrants, and have authority to enter workshops, factories, stores and all other places where children are employed, and do whatever may be necessary, in the way of investigation or otherwise, to enforce this act [s 7762–7783]. He also may take into custody any youth between eight and fifteen years of age, or between fifteen and sixteen years of age when not regularly employed who is not attending school, and shall conduct such youth to the school he has been attending, or which he rightfully should attend. [P & A A G C 1912 s 7770 as amended by 1913 p 864]

Enforcement: duties of truant officers.—The truant officer shall institute proceedings against any officer, parent, guardian, person, partnership or corporation violating any provisions of this chapter [s 7762–7783], and otherwise discharge the duties described therein, and perform such other service as the superintendent of schools of [or] the board of education may deem necessary to preserve the morals and secure the good conduct of school children, and to enforce the provisions of this chapter. The truant officer shall keep on file the name, address and record of all children between the ages of fifteen and sixteen to whom age and schooling certificates have been granted who desire employment, and manufacturers, employers or other persons requiring help of legal age shall have access to such files. The truant officer shall cooperate with the industrial commission in enforcing the conditions and requirements of the child labor laws of Ohio, furnishing upon request such data as he has collected in his reports of children from eight to sixteen years of age, and also concerning employers, to the industrial commission and to the superintendent of public instruction. He must keep a record of his transactions for the inspection and information of the superintendent of schools and the board of education; and make daily reports to the superintendent during the school term in districts having them, and to the clerk of the board of education in districts not having superintendents as often as required by him. Suitable blanks for the use of the truant officer shall be provided by the clerk of the board of education. [P & A A G C 1912 s 7771 as amended by 1914 p 225]

Opinion.—Chief and district inspectors of workshops have authority of truant officers, etc., under act, as to employment of minors; see section 6246.—State Commissioner of Schools (1912).

Enforcement: duties of principals and teachers.—Principals and teachers of all schools, public, private and parochial, shall report to the clerk of the board of education of the city, village or rural district in which the schools are situated, the names, ages and residence of all pupils in attendance at their schools, together with such other facts as said clerk may require in order to facilitate the carrying out of the provisions of this chapter [s 7762–7783]. The clerk shall furnish blanks for such purpose, and such report shall be made during the last week of each month from September to June inclusive of each year. Such principals and teachers also must report to the truant officer, the superintendent of public schools, or the clerk of the board of education, all cases of truancy or incorrigibility in their respective schools as soon after these offenses have been committed as practicable. * * * [P & A A G C 1912 s 7772 as amended by 1914 p 225]

Enforcement: notification of parents, etc.—On the request of the superintendent of schools or the board of education or when it otherwise comes to his notice, the truant officer shall examine into any case of truancy within his district, and warn the truant and his parents, guardian or other person in charge, in writing, of the final consequence of truancy if persisted in. When any child between the age of eight and fifteen years, or between the ages of fifteen and sixteen years, in violation of the provisions of this chapter [s 7762–7783] is not regularly employed and is not attending school, the truant officer shall notify the parent, guardian or other person in charge of such child, of the fact, and require such parent, guardian or other person in charge, to cause the child to attend some recognized school within two days from the date of the notice; and it shall be the duty of the parent, guardian or other person in charge of the child so to cause its attendance at some recognized school. Upon failure to do so, the truant officer shall make complaint against the parent, guardian or other person in charge of the child, in any court of competent jurisdiction in the city, village or rural district in which the offense occurred for such failure. [P & A A G C 1912 s 7773 as amended by 1914 p 225]

Poor relief for child failing to attend on account of poverty compelling employment.—When a truant officer is satisfied that a child, compelled to attend school by the provisions of this chapter [s 7762–7783], is unable to do so because absolutely required to work at home or elsewhere in order to support itself or help to support or care for others

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legally entitled to its services who are unable to support or care for themselves, such officer must report the case to the president of the board of education. Thereupon he shall furnish textbooks free of charge, and such other relief as may be necessary to enable the child to attend school for the time each year required by law. * * * Such child shall not be considered or declared a pauper by reason of the acceptance of the relief herein provided for. If the child, or its parents or guardian, refuses or neglects to take advantage of the provisions thus made for its instruction, it may be committed to a children's home or a juvenile reformatory * * *. [P & A A G C 1912 s 7777]

SCHOOL CENSUS

Enumeration of unmarried persons from 6 to 21.—An enumeration of all unmarried youth noting sex, between six and twenty-one years of age, resident within the district, and not temporarily there, shall be taken in each district, annually, during the two weeks ending on the fourth Saturday of May, designating also the number between six and eight years of age, the number between eight and fourteen years of age, the number between fourteen and sixteen years of age, the number between sixteen and twenty-one years of age * * *. [P & A A G C 1912 s 7794]

Penalty for false returns.—Whoever, being an officer having supervision over the annual enumeration of unmarried youths between six and twenty-one years of age, taken in conformity to law, increases or diminishes the number enumerated, shall be fined not less than five dollars nor more than one thousand dollars or imprisoned in the county jail not less than ten days nor more than thirty days. [P & A A G C 1912 s 12929]

RAILROADS AND STREET RAILWAYS[1]

HOURS OF LABOR

Period of rest after 15 hours' work for certain employees; exceptions.—A company operating a railroad over thirty miles in length, interurban or street railway, over four miles in length, shall not permit a conductor, engineer, fireman, brakeman, or trainman on a train, or a telegraph operator, a conductor, or motorman on a street railway, who has worked as such for fifteen consecutive hours, again to go on duty or perform work until he has had at least eight hours' rest, except in cases of detention of trains or cars caused by accident, unavoidable or otherwise. And such companies shall so regulate the hours of employment of their employees, that each employee shall have at least eight consecutive hours of rest in each period of twenty-four hours. [P & A A G C 1912 s 9007 as amended by 1913 p 557]

Penalty.—A railroad company or corporation knowingly violating the provisions of the next preceding section shall be liable to a penalty of not less than five hundred nor more than one thousand dollars for the first offense, and for any subsequent offense, of not less than one thousand nor more than fifteen hundred dollars, to be recovered by civil action in the name of the State. [P & A A G C 1912 s 9008]

Enforcement: duties of public service commission.—The [public service commission[2]] shall inquire into any neglect or violation of the laws of this State by a railroad doing business in this State, by its officers, agents or employees or by any person operating a railroad. It shall enforce * * * all * * * laws relating to railroads and report violations thereof to the attorney general. [P & A A G C 1912 s 576]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors permitted in parts of buildings where liquor is not sold.—The next two preceding sections [forbidding minors to enter "a saloon, beer-garden or other place where intoxicating liquor is sold"] shall not prohibit the employment of a minor in a part or department of a building other than the room or place therein where intoxicating liquor is sold or offered for sale. * * * [P & A A G C 1912 s 12959]

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[1] See court decision on page 7 (New York).

[2] Section 614-1 of the Code changes the title of the railroad commission of Ohio to the public service commission of Ohio, and vests all duties and powers of the former in the latter commission.

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DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in rope walking, singing, dancing, etc., prohibited; penalty.—Whoever takes, receives, hires, employs, uses, exhibits, sells, apprentices, gives away, lets out or otherwise disposes of a child, under the age of fourteen years for or in the vocation, occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, taking any part in, or appearing in connection with a moving picture exhibition or performance given in a theater or place of public amusement, begging or peddling or as a gymnast, contortionist, rider or acrobat, or for an obscene, indecent or immoral purpose, exhibition or practice, or for or in a business[,] exhibition or vocation injurious to the health or dangerous to the life or limb of such child or causes, procures or encourages such child to engage therein, or causes or permits such child to suffer or inflicts upon it unjustifiable physical pain or mental suffering, or has such child in custody for any of such purposes, shall be fined not more than two hundred dollars or imprisoned not more than six months, or both. [P & A A G C 1912 s 12968 as amended by 1913 p 864]

Application of act; exceptions.—Section 12968 of the General Code shall not apply to or affect the taking part without remuneration of such child with the consent of its parents or guardian in a church, or any school or academy, or at a concert or entertainment given for charitable purposes, or by a church or any school, academy, charitable, eleemosynary or religious institution. [P & A A G C 1912 s 12969]

Endangering life, health, or morals of child under 16 prohibited; penalty.—Whoever willfully causes or permits the life or limb of a child under the age of sixteen years to be endangered, its health to be injured or its morals to become depraved, from and while actually in his employ, or willfully permits such child to be placed in such a position or engage in employment whereby its life or limb is in danger, its health likely to be injured or its morals likely to be impaired or depraved, shall be fined not less than ten dollars nor more than fifty dollars or imprisoned not less than thirty days nor more than ninety days. [P & A A G C 1912 s 12972]

The industrial commission to enforce preceding section.—The [industrial commission] shall enforce the provisions of the next preceding section. [P & A A G C 1912 s 12973]

ALL OCCUPATIONS

WAGES

Penalty for withholding minor's wages.—Whoever, being a person, officer or agent of a company or corporation doing business in this State, retains or withholds from a minor in his employ the wages or compensation, or a part thereof, agreed to be paid and due such minor for work performed or services rendered, because of presumed negligence or failure to comply with rules, breakage of machinery or alleged incompetence to produce work or perform labor according to any standard of merit, shall be fined not more than two hundred dollars or imprisoned in the county jail not more than six months, or both. [P & A A G C 1912 s 12989]

Penalty for receiving guaranty for minor's services, etc.—Whoever, being a person, officer or agent of a company or corporation, receives a guaranty, bonus, money deposit or other form of security to obtain or secure employment for a minor or to insure faithful performance of labor, guarantee strict observance of rules or make good losses which may be charged to such minor's incompetence, negligence or inability, shall be fined not more than two hundred dollars or imprisoned in the county jail not more than six months, or both. [P & A A G C 1912 s 12990]

Penalty for employing minor without wage agreement, etc.—Whoever, being a person, officer or agent of a company or corporation, gives employment to a minor, without agreeing with him as to the wages or compensation he shall receive for each day, week, month or year, or per piece, for work performed and without furnishing such minor with written evidence of such agreement and, on or before each pay-day, with a statement of the earnings due and the amount thereof to be paid to him or changes the wages or compensation of a minor without giving him notice thereof at least twenty-four hours previous to its going into effect, when a written agreement thereof shall be given to such minor as for an original employment, shall be fined not more than two hundred dollars or imprisoned in the county jail not more than six months, or both. [P & A A G C 1912 s 12991]

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Enforcement: duties of the industrial commission.—The [industrial commission] shall enforce the provisions of the next three preceding sections. [P & A A G C 1912 s 12992]

MECHANICAL AND MERCANTILE ESTABLISHMENTS, FACTORIES, ETC.

MINIMUM AGE

Employment of boys under 15 and of girls under 16 prohibited in these occupations and in tenement houses, messenger service, etc.; employment of girls under 21 as messengers, and of any child under 15 in any occupation during school hours, prohibited.—No male child under fifteen years or female child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any (1) mill, (2) factory, (3) workshop, (4) mercantile or mechanical establishments, (5) tenement-house, manufactory or workshop, (6) store, (7) office, (8) office building, (9) restaurant, (10) boarding house, (11) bakery, (12) barber shop, (13) hotel, (14) apartment house, (15) bootblack stand or establishment, (16) public stable, (17) garage, (18) laundry, (19) place of amusement, (20) club, (21) or as a driver, (22) or in any brick or lumber yard, (23) or in the construction or repair of buildings, (24) or in the distribution, transmission or sale of merchandise, (25) nor any boy under fifteen or female under twenty-one years in the transmission of messages. It shall be unlawful for any person, firm or corporation to employ, permit or suffer to work any child under fifteen years of age in any business whatever during any of the hours when the public schools of the district in which the child resides are in session. [P & A A G C 1912 s 12993 as amended by 1913 p 864]

EMPLOYMENT CERTIFICATES

Aye and school certificates required for boys under 16 and girls under 18.—No boy under sixteen years of age and no girl under eighteen years of age shall be employed or permitted to work on or in connection with the establishments mentioned in section 12993 of the General Code, or in the distribution or transmission of merchandise or messages unless such employer first procures from the proper authority the age and schooling certificate provided by law. [P & A A G C 1912 s 12994 as amended by 1913 p 864]

Certificates to be returned to issuing office; liability for failure to return certificate.—The certificate mentioned in the section 12994 shall be filed in the office of such establishment and shall be produced for inspection upon request therefor by the [industrial commission] or a truant officer and shall be returned forthwith to the superintendent of schools or other persons legally issuing it, by the person in charge or manager of such establishment upon the termination of the employment of such minor. Upon failure on the part of the employer so to return said certificate within two days, the child terminating his employment shall be entitled to recover from such employer in a civil action as damages an amount equal to the wages which he would have earned had he continued in said employment for the period between such termination thereof and the time when such certificate is so returned. If such child at any time fails to appear for work without explanation, the employment shall be deemed within the purposes of this section to have terminated upon the expiration of two days after his so failing to appear. [P & A A G C 1912 s 12995 as amended by 1913 p 864]

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, for boys under 16 and girls under 18; evidence of employment; 10 hours a day, 54 a week, 6 days a week, and night work prohibited, for boys under 18 and girls under 21.—No boy under the age of sixteen and no girl under the age of eighteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than forty-eight hours in any week, (3) nor more than eight hours in any one day, (4) or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein. No boy under the age of eighteen years or girl under the age of twenty-one years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 (1) for more than six days in any one week, (2) nor more than fifty-four hours in any week, (3) nor more than ten hours in any one day, (4) or before the hour of six o'clock in the morning or after the hour of ten o'clock

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in the evening. In estimating such periods, the time spent at different employments or under different employers shall be considered as a whole and not separately. [P & A A G C 1912 s 12996 as amended by 1913 p 864]

Court decisions.—A former section on the above subject was held constitutional.—Bolton *v.* State, 31 Ohio Cir. Ct. 14 (1909); the provision prohibiting employment of children at night was also held constitutional.—State *v.* Roedeier, 5 O. N. P., N. S. 337 (1907).

Night work prohibited for messenger boys under 18.—No person having charge or management of a telephone, telegraph, or messenger office or company shall employ a boy under the age of eighteen years to work as a messenger in connection with such office or company before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day. [P & A A G C 1912 s 12996–1 as amended by 1913 p 864]

Thirty minutes for meal time required.—A boy or girl employed as provided in section 12996–1[1] shall be entitled to not less than thirty consecutive minutes for meal time within five hours from the time of beginning work which shall not be included as a part of the work hours of the day or week. [P & A A G C 1912 s 12997 as amended by 1913 p 864]

Hours to be posted for boys under 18 and girls under 21; violation of act; lists required of boys under 16 and girls under 18.—No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993 unless the person, firm or corporation employing such child keeps two complete lists of the names together with the ages of all boys under sixteen years of age and all girls under eighteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. Every employer shall post and keep posted in a conspicuous place in every room where any boy under the age of eighteen, or any girl under the age of twenty-one is employed, permitted or suffered to work a printed notice stating the maximum number of hours such person may be required or permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or for other meals. The printed form of such notices shall be furnished by the [industrial commission] and the employment of any minor for a longer time in any day than so stated, or at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this act [s 12993 to 13007–14]. [P & A A G C 1912 s 12998 as amended by 1913 p 864]

Blank forms, etc.—The notice provided in section 12998 shall be formulated by the [industrial commission], approved by the attorney general and furnished by such [commission] upon application therefor. [P & A A G C 1912 s 12999 as amended by 1913 p 864]

REGULATED OCCUPATIONS

ENFORCEMENT

Failure to produce certificates, etc., evidence of illegal employment.—Failure to produce for lawful inspection the age and schooling certificate as provided by law, or the record as provided in section twelve thousand nine hundred and ninety-eight, shall be prima facie evidence of the illegal employment or service of the child whose certificate is not so produced or whose record is not so correctly kept. [P & A A G C 1912 s 13000]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE.

Specific occupations prohibited under 16; machinery, railroads, vessels, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or any of the following positions: (1) adjusting any belt to any machinery; (2) sewing or lacing machine belts in any workshop or factory; (3) oiling, wiping or cleaning machinery or assisting therein; (4) operating or assisting in operating any of the following machines: (a) circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) woodturning or boring machinery; (g) picker machines or machines used in picking

[1] The section referred to is probably section 12996 as amended by Acts of 1913, page 864, since 12996–1 relates to night work for messengers.

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wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tinware, or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calendar [calender] rolls in paper and rubber manufacturing; (x) laundering machines; (y) burring machinery; (5) or in proximity to any hazardous or unguarded belts, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic; (7) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State. [P & A A G C 1912 s 13001 as amended by 1913 p 864]

Court decision.—Employment of a child in violation of a former section on the above subject was held to be evidence of negligence.—Breckenridge Co. *v.* Reagan, 22 Ohio Cir. Ct. 71 (1901).

Specific occupations prohibited under 16; dangerous processes, mines, quarries, pool rooms, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel excavation; (11) nor in, about or in connection with any mine, coal breaker, coke oven, or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor in operating any automobile, motor car or truck; (14) nor in a bowling alley; (15) nor in a pool or billiard room; (16) nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child. [P & A A G C 1912 s 13002 as amended by 1913 p 864]

NOTE.—[Chapter 11, section 944, of the Annotated Code 1912, prohibiting the employment of boys under 14 in mines or under 15 during school hours, is apparently superseded by section 13002, quoted above. The same chapter provides for the enforcement of the prohibition under 14 and 15 and the penalty for violation; it also provides that a record be kept of all boys under 16 employed in mines.]

Employment under 16 may be prohibited by the State board of health in other occupations.—The State board of health may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the common pleas court from any such determination. [P & A A G C 1912 s 13003 as amended by 1913 p 864]

Constant standing prohibited for girls under 21.—No female under the age of twenty-one years shall be engaged or permitted to work at an employment which compels her to remain standing constantly while on duty. [P & A A G C 1912 s 13005 as amended by 1913 p 864]

REGULATED OCCUPATIONS

ENFORCEMENT

Hindering inspectors, etc., prohibited.—No female visitor, truant officer, factory inspector or other officer thereunto authorized by this chapter [s 12993 to 13007–14] shall be prevented, as provided by law, from entering, at any time, a shop, factory or mercantile establishment for the purpose of making a lawful inspection thereof. [P & A A G C 1912 s 13006 as amended by 1913 p 864]

Evidence of age may be required for child apparently under 16.—[The industrial commission], truant officer, or other officer charged with the enforcement of this act [s 12993 to 13007–14] may make demand on any employer in or about whose place or establish-

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ment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish him, within ten days, satisfactory evidence that such child is in fact over sixteen years of age. The [industrial commission], truant officer or other officer charged with the enforcement of this act, shall require from such employer the same evidence of age of such child as is required upon the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child: *Provided*, That nothing herein contained shall be construed as permitting any of the acts prohibited by other sections of this chapter or as in any way exempting such employer from prosecution under other sections of this chapter. [P & A A G C 1912 s 13007–1 as added by 1913 p 864]

Evidence of illegal employment.—In case any employer shall fail to produce and deliver to [the industrial commission], truant officer, or other officer charged with the enforcement of this act [s 12993 to 13007–14], within ten days after demand made pursuant to section 13007–1 of this act, the evidence of age therein required, proof of the making of such demand and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor. [P & A A G C 1912 s 13007–2 as added by 1913 p 864]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Specific occupations prohibited under 18; certain machinery, cleaning machinery in motion, dangerous processes, places where alcoholic liquors are manufactured, etc.; employment of boys under 16 and girls under 18 in theatres prohibited except on stage.—No child under the age of eighteen years shall be employed, permitted or suffered to work (1) in, about or in connection with blast furnaces, docks, or wharves; (2) in the outside erection and repair of electric wires; (3) in the running or management of elevators, lifts or hoisting machines or dynamos; (4) in oiling or cleaning machinery in motion; (5) in the operation of emery wheels or any abrasive, polishing or buffing wheel where articles of the baser metals or iridium are manufactured; (6) at switch tending; (7) gate tending; (8) track repairing; (9) or as brakemen, firemen, engineers, motormen or conductors upon railroads; (10) or as railroad telegraph operators; (11) as pilots, firemen or engineers upon boats and vessels; (12) or in or about establishments wherein nitroglycerin, dynamite, dualin, guncotton, gunpowder, or other high or dangerous explosives are manufactured, compounded or stored; (13) or in the manufacture of white or yellow phosphorus or phosphorus matches; (14) or in any distillery, brewery, or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; (15) or in any hotel, theater, concert hall, place of amusement, or any other establishment where intoxicating liquors are sold; (16) nor any boy under sixteen or girl under eighteen in any theater or other place of amusement, except on the stage thereof when not otherwise prohibited by law. [P & A A G C 1912 s 13007–3 as added by 1913 p 864]

Employment under 18 may be prohibited by the State board of health in other occupations.—The State board of health may, from time to time, after hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under eighteen years of age is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under eighteen years of age to justify their exclusion therefrom. No child under eighteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the common pleas court from any such determination. [P & A A G C 1912 s 13007–4 as added by 1913 p 864]

INTOXICATING LIQUORS

MINIMUM AGE

Employment under 21 in saloons, etc., prohibited.—No person under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any saloon or barroom where intoxicating liquors are sold or to handle intoxicating liquors in any way. [P & A A G C 1912 s 13007–5 as added by 1913 p 864]

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MINES, ETC.

MINIMUM AGE

Employment of girls under 21 in mines, quarries, etc., or in oiling or cleaning machinery in motion prohibited; exceptions.—No female under twenty-one years of age shall be employed, permitted or suffered to work in or about any (1) mine, (2) quarry, (3) or coal breaker, except in the office thereof, (4) or in oiling or cleaning machinery while in motion. [P & A A G C 1912 s 13007-6 as added by 1913 p 864]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties of factory inspectors, truant officers, etc.—It shall be the duty of [the industrial commission], truant officers and other officers charged with the enforcement of laws relating to the employment of minors, to make complaints against any person violating any of the provisions of this act [s 12993 to 13007-14] and to prosecute the same. This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints. [P & A A G C 1912 s 13007-7 as added by 1913 p 864]

PENALTIES

False statement concerning age.—Any person who with the intent to assist a minor to procure employment, knowingly makes a false statement regarding the age of such minor either to an employer of labor or to an officer authorized to issue age and schooling certificates as provided by law, shall be fined not less than twenty-five nor more than fifty dollars. [P & A A G C 1912 s 13007-8 as added by 1913 p 864]

Illegal employment.—Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through agents, servants or foreman, employs any child or girl under the age of twenty-one and whoever having under his control as parent, guardian, custodian or otherwise, any child, permits or suffers such child or girl to be employed or to work in violation of any of the provisions of this chapter [s 12993 to 13007-14], shall, for a first offense be punished by a fine of not less than five nor more than fifty dollars; for a second offense by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third offense by a fine of not less than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. [P & A A G C 1912 s 13007-9 as added by 1913 p 864]

Employment after notification.—Whoever continues to employ any child or girl under 21 in violation of any of the provisions of this chapter, after being notified thereof in writing by [the industrial commission], truant officer or other officer charged with the enforcement of this act [s 12993 to 13007-14], shall, for every day thereafter that such employment continues, be fined not less than five nor more than twenty dollars. [P & A A G C 1912 s 13007-10 as added by 1913 p 864]

Failure to procure or return employment certificates or post lists, etc.—Every employer who fails to procure and keep on file employment certificates for all children employed under the age of sixteen years, or to return the same as provided by section 12995 of the General Code, or who fails to keep and post lists or the notice, as provided in section 12998 of the General Code, shall be fined not less than twenty-five dollars nor more than one hundred dollars. [P & A A G C 1912 s 13007-11 as added by 1913 p 864]

Hindering inspectors, etc.—Any person, firm or corporation who (1) hinders or delays any factory inspector, truant officer, or any other officer charged with the enforcement of any of the provisions of this act [s 12993 to 13007-14] in the performance of his or her duties, (2) or refuses to admit or locks out any such officer from any place which said inspectors or officers are authorized to inspect shall be punished by a fine of not less than twenty-five nor more than two hundred dollars, or by imprisonment for not less than ten days nor more than thirty days, or by both such fine and imprisonment. [P & A A G C 1912 s 13007-12 as added by 1913 p 864]

Certifying to false statement, etc.—Any person authorized to sign any certificate, affidavit or paper called for by this act [s 12993 to 13007-14], who knowingly certifies to any materially false statement therein, shall be fined not less than twenty-five dollars nor more than one hundred dollars. [P & A A G C 1912 s 13007-13 as added by 1913 p 864]

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Refusing information; child.—Any child working in or in connection with any of the establishments or places or in any of the occupations mentioned in this chapter [s 12993 to 13007–14], who refuses to give to the [industrial commission] or other authorized inspector or truant officer his or her name, age and place of residence, shall be forthwith conducted by the inspector, truant officer or other officer before the juvenile court or other court having jurisdiction in the premises for examination and to be dealt with according to law. [P & A A G C 1912 s 13007–14 as added by 1913 p 864]

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OKLAHOMA

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Legislature to enact laws.—The legislature shall provide for the compulsory attendance at some public or other school, unless other means of education are provided, of all the children in the State who are sound in mind and body, between the ages of eight and sixteen years, for at least three months in each year. [Constitution article 13 section 4]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 15 prohibited.—The employment of children, under the age of fifteen years, in any occupation, injurious to health or morals or especially hazardous to life or limb, is hereby prohibited. [Con art 23 s 3]

MINES

MINIMUM AGE AND HOURS OF LABOR

Employment of boys under 16 and girls of any age underground prohibited; eight hours a day's work; exceptions.—Boys under the age of sixteen years, and women and girls, shall not be employed, underground, in the operation of mines; and, except in cases of emergency, eight hours shall constitute a day's work underground in all mines of the State. [Con art 23 s 4]

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of commissioner of labor.—The duties and scope of the commissioner of labor is to carry into effect all laws in relation to labor, passed by the legislature, in regard to the transportation, mechanical and manufacturing industries of the State; * * * he may administer oaths, issue subpoenas for the attendance of witnesses, and take testimony in all matters relating to the proper enforcement of all laws over which he has supervision of [sic] this act. * * * [Revised Laws 1910 section 3703 as amended by 1911 Chapter 128 section 1]

Hindering inspector, etc., prohibited.—No person shall interfere with, obstruct or hinder by force or otherwise the commissioner of labor, his deputies, assistants, or special agents, or factory inspectors while in the performance of their duties, or refuse to properly answer questions asked by such officers pertaining to the laws over which he has supervision under the provisions of this act, or refuse them admittance to any place where and when labor is being performed which is affected by the provisions of this act. [1911 C 128 s 3]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places.—No agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill fame or assignation house, or to any house or place of amusement kept for immoral purposes. * * * [R L 1910 s 3724]

Enforcement: duties of commissioner of labor; penalty.—It shall be the duty of the commissioner of labor to enforce this article [s 3712–3727] and, when informed of any violation thereof, it shall be his duty to institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction * * *: *Provided*, That any person or persons who shall send any female help or servant to any place of bad repute, house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes, shall be guilty of a felony and shall be punished by a fine of not less than one thousand dollars nor more than five thousand dollars and be confined in the penitentiary not less than two years nor more than ten. [R L 1910 s 3725]

FACTORIES, THEATERS, DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS, ETC.

MINIMUM AGE

Employment under 14 prohibited in factories, theaters, etc.; and under 15 in dangerous, injurious, and immoral occupations; enforcement: duties of commissioner of labor.—No child under the age of fourteen years shall be employed or permitted to work in any factory, factory-workshop, theater, bowling alley, pool hall, or steam laundry and no child under the age of fifteen years shall be employed or permitted to work in any occupation injurious to health or morals or especially hazardous to life or limb. It shall be the duty of the commissioner of labor upon investigation by himself or the agents of his department, or upon complaint of the commissioner of charities and corrections, or the board of health, to determine what occupations are injurious to health or morals or especially hazardous to life or limb, and to notify employers in such occupations of his decision, which decision shall be final until such occupation or occupations shall be defined by law, as safe for health, morals, life and limb. [R L 1910 s 3728]

Court decision.—Under the express provisions of this section, no child under the designated age shall be employed. This means that children shall neither be employed by contract, nor permitted by acquiescence, nor suffered by a failure to hinder.—Curtis & Gartside Co. *v.* Pigg, 39 Okla. 31, 134 Pac. 1125 (1913).

Specific occupations prohibited under 16; operating machinery or cleaning machinery in motion, dangerous processes, elevators, etc.; constant standing prohibited for girls under 16.—No child under the age of sixteen years shall be employed or permitted to work at any of the following occupations: Oiling or assisting in oiling, operating, wiping or cleaning any dangerous machinery, or adjusting any belt to any such machinery, while in motion; operating, or assisting in operating, circular or band saws, steam boilers, steam machinery, or other steam-generating apparatus, rolling-mill machin-

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ery, punches or shears, washing, grinding or mixing mills, passenger or freight elevators; preparing any composition in which dangerous or poisonous acids are used; manufacture of paints, colors or white lead; where there are acids, dyes, lyes, gases, glass dust or other dust or lint in such quantities as to be injurious to health; dipping, dyeing [drying] or packing matches; manufacturing, packing or storing powder, dynamite, nitroglycerine compounds, fuses or other explosives; manufacture of goods for immoral purposes; nor shall females under the age of sixteen years be employed in any capacity where such employment compels them to remain standing constantly. [R L 1910 s 3729]

STREET TRADES IN CITIES

MINIMUM AGE

Employment of girls under 16 prohibited.—No girl under the age of sixteen years shall, in any city, sell, or expose or offer for sale newspapers, magazines or periodicals in any street or out-of-doors public place. [R L 1910 s 3730]

FACTORIES, THEATERS, DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS, ETC.

EDUCATIONAL REQUIREMENTS

Ability to read and write or school attendance required under 16.—No child under the age of sixteen years shall be employed or permitted to work in any of the occupations specified in section 3728 unless such child is able to read and write simple sentences in the English language, or shall have attended some school during the preceding year for the time that attendance is compulsory under the laws. [R L 1910 s 3731]

ANY GAINFUL OCCUPATION

HOURS OF LABOR AND SEATS FOR CHILDREN

Eight hours a day, 48 a week, and time for meals required, under 16; farm and domestic work excepted; seats to be provided and their use permitted.—No child under the age of sixteen years shall be employed or permitted to work in any gainful occupation, except agriculture or domestic service, more than eight hours in any one day, allowing one hour each day for noonday meal and rest, or more than forty-eight hours in any one week. During the time that a child is at work at such occupation, the employer must provide suitable seats and permit their use so far as the nature of the work allows. [R L 1910 s 3732]

FACTORIES, THEATERS, DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS, ETC.

HOURS OF LABOR

Night work prohibited for boys under 16 and girls under 18.—No boy under the age of sixteen years and no girl under the age of eighteen shall be employed or permitted to work in any of the occupations mentioned in section 3728 between the hours of six o'clock p. m. and seven o'clock a. m. [R L 1910 s 3733]

EMPLOYMENT CERTIFICATES AND RECORDS

Age and school certificates and lists required under 16; lists and hours to be posted; certificates to be returned to child or parent.—Before any child under the age of sixteen years shall be employed in any occupation specified in section 3728, it shall be the duty of the parent or guardian of such child to procure and furnish the employer of such child an age and schooling certificate as hereinafter provided in this article [s 3728–3742]. It shall be the duty of every person, firm or corporation owning or operating any of the establishments specified in section 3728, or employers in such occupations, to keep on file for the inspection of factory inspectors, truant officers, or other persons charged with the administration of this article, such age and schooling certificate, for every child under sixteen years of age employed in such occupation, and to keep on file and to post conspicuously in every room where such children are employed a register, with a complete list of children under sixteen years of age so employed, together with the age of each child as set forth in the age and schooling certificate opposite the name of such child, and also to keep on file and to post conspicuously in such place or establishment, in such form as the factory inspector may prescribe, the time of opening and closing

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of such factory or other establishment, the number of hours of labor required or permitted in such establishment, the hours of commencing and stopping work, and the time allowed for meals, and, if there be two or more shifts in such establishment, the number of hours in each shift during which the employees are required or permitted to work. On termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith surrendered by the employer to the child or its parent, guardian or custodian. [R L 1910 s 3734]

ENFORCEMENT AND HEALTH OF MINORS

Duties and powers of inspector of factories, truant officers, etc.; evidence of age may be required for children apparently under 16; evidence of illegal employment; certificate of physical fitness may be required under 16.—The inspector of factories, truant officer, or other person charged with the administration of this article [s 3728–3742], may make demand on an employer in whose factory or establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this section,[1] that such employer shall either furnish him, within ten days, evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such factory or establishment. Such officer may require from such employer the same evidence of age of such child as is required on the issuance of an employment certificate; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to such officer, within ten days after such demand, such evidence of age herein required by him, and shall thereafter continue to employ such child to work in such factory or establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution brought for a violation of this provision of this article, that such child is under sixteen years of age and is unlawfully employed: *Provided*, That the factory inspector or deputy inspectors shall have the power to demand a certificate of physical fitness from some licensed physician in good standing in this State in case of children who may appear to him physically unable to perform the labor at which they may be engaged, and shall have power to prohibit the employment of any minor that can not obtain such a certificate. [R L 1910 s 3735]

EMPLOYMENT CERTIFICATES

School authorities to issue certificates.—The age and schooling certificate shall be approved only by the county superintendent of public instruction, or other school official designated by him, who shall, for the purpose of this article [s 3728–3742], be empowered to administer an oath. [R L 1910 s 3736]

Method of issuing; age records required.—The age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, or certificate of birth, or the register of the city or county, or an affidavit of the date of such birth, by a legally registered physician residing therein, stating the time of birth of such child, or the school record of such child, in the public or other school, setting forth the age of such child: *Provided*, That in cases where such evidence can not be obtained, and the child appears to be in good health, and of normal size, of not less than sixty inches in height and weighing not less than eighty pounds, the parent or guardian of such child may make affidavit stating the age, place and time of birth of such child, or, if the child shall have no parent or guardian, such affidavit may be made by the child. The affidavits required by this section must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath, and who shall not demand or receive a fee therefor. The employment certificate shall not be issued until such child has further personally appeared before the officer issuing the same and he is satisfied that such child is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health. Every employment certificate shall be signed, in the presence of the officer issuing the same, by the child in whose name it is issued. [R L 1910 s 3737]

School records required; method of issuing and contents of certificates and school records.—The age and schooling certificate shall not be approved until the parent or guardian of such child shall present a school attendance certificate as hereinafter prescribed. A duplicate of such age and schooling certificate shall be filled out and sent by the

[1] The section referred to is probably section 3734, as this section of the Acts of 1909 was divided into two parts in the compilation of 1910.

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school officer, before whom the same is made, to the commissioner of labor. The blank forms for school attendance certificate and for the age and schooling certificate shall be supplied to the county superintendents of public instruction by the State superintendent of public instruction as hereinafter indicated.

SCHOOL ATTENDANCE CERTIFICATE.

.....(Name of school)
.....(City and county)
.....(Date)

This certifies that ..... (name of child) can read and write simple sentences in the English language and that according to the records of this school and in my belief is now ..... (number of years and months) old and has attended school during the full school term of the preceding year.

.....(Name of parent or guardian)
.....(Residence)
.....
(Signature of teacher)

AGE AND SCHOOLING CERTIFICATE.

This certifies that I am ..... (father, mother or guardian) of ..... (name of child) and that he (or she) was born at.....(town or city).....(county) ..... (State or country) on the ..... (day, month and year of birth) and is now ..... (number of years and months old).

.....
(Signature of parent or guardian)
.....(Date)
.....(City or town or county)

Personally appeared before me the above mentioned ..... (name of person signing) and made oath that the foregoing certificate is true to the best of his (or her) knowledge and belief.

I hereby approve the foregoing certificate of ..... (name of child), height ..... (feet and inches), weight ..... (pounds), complexion ..... (fair or dark), hair ..... (color), eyes ..... (color), having no sufficient reason to doubt that he (or she) is of the age therein certified.

OWNER OF CERTIFICATE.

This certificate belongs to ..... (name of child) and is to be surrendered to him (or her) whenever he (or she) leaves the service of the employer holding the same, but if not claimed by said child within thirty days after leaving said service, shall be sent to the commissioner of labor.

.....
(Signature of officer, with name of city, town or county, and date.)
[R L 1910 s 3738]

MINES, ETC.

MINIMUM AGE

Employment underground of boys under 16 and girls of any age prohibited.—No child under the age of sixteen and no girl or woman shall be employed or permitted to work underground in any mine or quarry. [R L 1910 s 3739]

MERCANTILE ESTABLISHMENTS, HOTELS, RESTAURANTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—The proprietor, manager or person having charge of any mercantile establishment, store, shop, hotel, restaurant or other place where women or girls are employed as clerks, shall provide chairs, stools or other contrivances for the comfortable use of such female employees, and shall permit the use of the same by such female employees for the preservation of their health and for rest when not actually employed in the discharge of their respective duties. [R L 1910 s 3740]

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MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

HOURS OF LABOR FOR GIRLS

Hours to be posted.—Every person, firm, or corporation, agent, or manager of a corporation employing any female in any manufacturing establishment, factory or workshop shall post and keep posted in a conspicuous place in every room where such help is employed, a printed or written notice, stating the hours of each day of the week between which work is required of such person. [R L 1910 s 3741]

REGULATED OCCUPATIONS

PENALTY AND ENFORCEMENT

Violation of act; duties of commissioner of labor and mine inspector.—Any person violating any of the provisions of this article [s 3728–3742] shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or [by] imprisonment for not less than ten nor more than thirty days, or [by] both such fine and imprisonment. It shall be the duty of the commissioner of labor to see that the provisions of this article are enforced, with the exception of section 3739 which shall be enforced by the mine inspector or under his direction. [R L 1910 s 3742]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of factory inspectors.—* * * It shall be the duty of the factory inspector to visit and inspect at all reasonable hours, not less than once in each year, the factories, workshops, machine shops, foundries, laundries, manufacturing establishments in the State, and such other places where labor is employed as the commissioner of labor may designate; and he shall make special investigation into the conditions of labor or into any alleged abuses in connection therewith, and shall perform such other duties as are prescribed by law. * * * [R L 1910 C 42 s 3743]

REGULATED OCCUPATIONS

APPLICATION OF ACT

Definitions.—The words, "manufacturing establishments," "factory" or "workshop" whenever used in this chapter [s 3703–3782] shall be construed to mean any place where goods or products are manufactured or repaired, cleaned or sorted in whole or in part, for sale or for wages. [R L 1910 s 3745]

MANUFACTURING ESTABLISHMENTS, FACTORIES, AND WORKSHOPS

TOILETS AND WASH ROOMS FOR GIRLS

Separate toilets and washrooms for the sexes.—There shall be provided in every factory, manufacturing establishment or workshop, where men and women are employed, separate toilet and wash rooms. [R L 1910 s 3750]

REGULATED OCCUPATIONS

PENALTIES

General penalty.—Any person who fails to comply with any of the provisions of this article [s 3743–3756] shall, except as otherwise provided, be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than ten dollars nor more than one hundred dollars for each offense. [R L 1910 s 3756]

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MINES

ENFORCEMENT

Duties and powers of mine inspectors.—* * * It shall be the duty of the district inspectors to examine all the mines in their respective districts as often as necessary, and not less than once every three months: *Provided*, That the mine committee shall have authority to call the mine inspector at any time in cases of emergency to see that the requirements and provisions of this chapter [s 3937–4014] are strictly observed and carried out; they shall particularly examine * * * the general extent to which the laws relating to mines and mining are observed or violated * * *. For the purpose of making the inspection and examination provided for in this section, the chief mine inspector and the district inspectors shall have the right to enter any mine at any reasonable time, by day or by night, but in such manner as shall not unnecessarily obstruct the workings of the mine, and the owner, lessee or agent of such mine is hereby required to furnish the means necessary for such entry and inspection; the inspection and examination herein provided for shall extend to fire clay, iron ore, asphalt, and all other mines, as well as coal mines. [R L 1910 s 3951]

Powers of mine inspectors.—The chief mine inspector and each of his assistants are hereby empowered to act as police officers, with full power to arrest and detain any person found violating any provisions of the law relative to mining, or engaged in any attempt to violate any such law or part thereof, or against whom there is found any evidence of a previous violation of such law * * *. [R L 1910 s 3952]

Hindering inspector, etc., a misdemeanor.—Every person who willfully obstructs the chief inspector or his assistant inspectors in the execution of his or their duties, and every owner, agent, lessee or manager of a mine who refuses or neglects to furnish to the chief mine inspector or his assistants the means necessary for making entry, inspection, examination or inquiry, as herein provided, in relation to such mine, shall be guilty of a misdemeanor, and upon conviction he shall be punished as hereinafter provided. [R L 1910 s 3954]

HOURS OF LABOR

Eight hours a day's work; exceptions.—Except in cases of emergency, eight hours shall constitute a day's work underground in all mines of this State. [R L 1910 s 4005]

PENALTIES

General penalty.—The neglect, failure or refusal to perform any of the duties required by any section of this chapter [s 3937–4014] by any firm, association, corporation, person or parties required to perform them, shall be a misdemeanor, and where the duty so neglected, failed or refused to be performed is by the terms of this chapter required of a corporation, then its officer or agent in charge of the mine, shall be guilty, as hereinbefore provided for in this section, and, except as herein otherwise provided, shall, upon conviction thereof, be punished by a fine of not exceeding five hundred dollars, or imprisonment in the county jail, for a period not exceeding six months, or both such fine and imprisonment; and in addition thereto, such corporation or other mine operator violating any of the provisions of this chapter shall be civilly liable to any person injured thereby to the extent of such injury. [R L 1910 s 4014]

ALL OCCUPATIONS

WAGES

Minor entitled to wages unless claimed by parent, etc.—The wages of a minor employed in service may be paid to him until the parent or guardian entitled thereto gives the employer notice that he claims such wages. [R L 1910 s 4381]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Form prescribed.—For taking the enumeration of school children upon which State and county apportionments of public school funds are made, the following form is prescribed:

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SCHOLASTIC CENSUS REPORT.

School District No. ....., County of .....
For the year 191..
Name of parent or guardian ....., Post office .....
Name of township or street ....., Section or street No. .....
Name of tribe .....
(If Indian or freedman, give name of tribe.)

DATE OF BIRTH.

Name of child.	Color.	Sex.	Month.	Day.	Year.	Age.	If deaf and dumb or blind, indicate.

I hereby declare under oath that the above is a true and correct statement of the facts given; that I am a legal resident of the above school district and the names and ages of all persons of school age are correct as written above.

.....
Parent or Guardian.

Subscribed and sworn to before me this .... day of ....., 19..

.....
Enumerator.

[1913 C 219 art 9 s 1]

Enumeration of children from 6 to 21.—Persons to be enumerated shall be those living within the school district on the date of January 15, [the] time of taking the enumeration, with bona fide residence, and who are over the age of six and under twenty-one years of age: *Provided*, That persons who will be six years of age on or before the first day of September following will be counted and persons who will be twenty-one years of age on or before the first day of September following shall not be counted. [1913 C 219 art 9 s 3]

Penalty for refusing information.—Any person having children of school age in his care or control, who shall refuse to furnish the information desired to the "enumerator" or to sign the certificate as required, shall be deemed guilty of a misdemeanor and fined in a sum not less than ten dollars nor more than twenty-five dollars * * *. [1913 C 219 art 9 s 6]

Penalty for enumerator.—Any "enumerator" who shall wilfully make a report, containing the names of children not entitled to be counted, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars, nor more than one hundred dollars for each offense. [1913 C 219 art 9 s 8]

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; exceptions.—It shall be unlawful for any parent or guardian living in the State of Oklahoma, to neglect or refuse to cause or compel any person or persons who are or may be under their control as children or wards to attend and comply with the rules of some public, private or other school or schools unless other means of education are provided for at least 66 per cent of the number of days the school or schools of the district are maintained, which shall apply to all children of the district over the age of eight and under the age of sixteen, unless they are prevented by mental or physical disability, the question of disability to be determined by the school district board or board of education upon a certificate from a duly licensed and practicing physician. [1913 C 219 art 13 s 1]

Enforcement: duties of school authorities, teachers, etc.—It shall be the duty of the school district board or any person living in the district to make complaint with the justice of the peace of the township in which the school district is situated against any person failing or refusing to comply with the provisions of the above section. It shall also be the duty of the teacher of the school to ascertain if any person is absent from the school without a proper excuse and if so to advise the county superintendent of public instruction of that fact. Such county superintendent shall then report such information to the county attorney of the county who shall file complaint in any justice court of the county where the offending party resides against said person or

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persons failing or refusing to compel the attendance of the child or children under his control to attend school for the time prescribed in the above section. [1913 C 219 art 13 s 2]

Poor relief for child failing to attend on account of poverty compelling employment.—If any widowed mother shall make affidavit to the effect that the wages of her child or children, under sixteen years of age are necessary to the support of such widowed mother, then the county superintendent of public instruction shall after careful investigation, upon the recommendation of the school district board, or board of education, furnish such child or children a certificate called a "scholarship" stating the amount of wages such child or children are receiving, or so much of such wages as shall be deemed necessary so long as such child or children shall attend the public school in accordance with the provisions of this article, which aid shall be allowed and paid upon certificate of the county superintendent of public instruction to the child or children holding such scholarship, by the county commissioners. [1913 C 219 art 13 s 4]

Penalty.—Any person violating the provisions of any section of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than ten dollars nor more than twenty-five dollars. Each day a child is out of school contrary to the provisions of this article shall constitute a separate offense. * * * [1913 C 219 art 13 s 5]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day in these establishments and in laundries, telephone offices, theaters, etc.—No female shall be employed or permitted to work in any manufacturing, mechanical or mercantile establishment, laundry, bakery, hotel, or restaurant, office building or warehouse, or telephone establishment or office or printing establishment, or book bindery, or any theater, show house or place of amusement, more than nine hours in any one day. [1915 C 148 s 1]

Stenographers, nurses, etc., excepted; other exceptions; 10 hours a day permitted in hotels and restaurants under certain conditions; compensation for overtime; application of act.—The hours of work may be so arranged to permit the employment of females at any time so that they shall not work more than nine hour[s] within twenty-four hours of any one day: *Provided however*, That in time of great disaster, calamity, or epidemic, telephone establishments may work their operators, with their consent, for a greater number of hours in any one day than above stated; said operators to be paid not less than double their regular compensation for such extra time: *Provided*, This act shall not apply to females who are registered pharmacists, or employed as stenographers, or nurses: *And provided further, however*, That in case of emergency in hotels, and restaurants, females may work to a maximum of ten hours during the twenty-four hours with their consent; such females to be paid not less than double their regular compensation for such extra time: *And provided further*, That this act shall apply only to towns and cities containing a population of 5,000 or more as shown by the last Federal census, or any Federal census hereafter taken. [1915 C 148 s 2]

SEATS FOR GIRLS

Seats to be provided and their use permitted in these establishments and in laundries, dressmaking establishments, hotels, theaters, etc.—Every employer in any manufacturing, mechanical or mercantile establishment, or workshop, laundry, printing office, dressmaking or millinery establishment, hotel, restaurant, or theater, or telegraph or telephone establishment and office or any other establishment employing any female, shall provide suitable seats for all female employees and permit them to use such seats when not engaged in the active performance of the duties of their employment. [1915 C 148 s 3]

NOTE.—[See also Revised Laws 1910 section 3740 for similar provision in these and other establishments]

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REGULATED OCCUPATIONS

PENALTIES

Violation of act.—Any employer, overseer, superintendent, foreman, or other agent of any such employer, who shall require any female to work in any of the places mentioned in section 1 and 2 more than the number of hours provided for in this act, during any day of twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females employed in said places mentioned in section 1 and 2, so that they shall work more than the number of hours provided for in this act during any day of twenty-four (24) hours or the number of hours prescribed in this act, in any one week, or who shall fail, neglect or refuse to provide suitable seats as provided in section 3, of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars, or imprisonment in the county jail not less than five (5) nor more than thirty (30) days, or by both such fine and imprisonment. [1915 C 148 s 4]

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OREGON

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IMMORAL OCCUPATIONS

MINIMUM AGE

Sending minors to immoral places prohibited.—It shall be unlawful for any person, firm, or corporation to procure, request, order, or to in anywise induce any minor to go into or visit any such house, room, or place described in section 2081 [any house of prostitution, or any room or place inhabited or frequented by any prostitute, or used for purposes of prostitution], for any purpose whatever. [Lord's Oregon Laws 1910 section 2082]

Penalty.—Any person violating any of the provisions of this act [s 2081–2084] shall, upon conviction thereof, be punished by a fine not less than $100 and not more than $250, or by imprisonment in the county jail for a period not exceeding one year, or both; and any corporation violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine not less than $500 and not more than $1,000. [L O L 1910 s 2083]

INTOXICATING LIQUORS

MINIMUM AGE

Presence of minor in saloons, etc., prohibited; penalty; revocation of license.—* * * If any keeper of any saloon, barroom, or other vendor of spirituous or intoxicating liquors within this State shall harbor, permit, or suffer any minor to * * * remain in such saloon, barroom, or other place where such spirituous or intoxicating liquors are sold or kept for sale, * * * such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than $50 nor more than $300, or by imprisonment in the county jail not exceeding one year, or by both, at the discretion of the court; and shall also forfeit any license such person may have to sell spirituous or intoxicating liquors in less quantities than one gallon, or to keep such saloon, barroom, or other place for the sale of such liquors; and in all prosecutions under this act [s 2142], common fame shall be competent evidence in support of the prosecution. [L O L 1910 s 2142]

Presence of girls under 21 in saloons, etc., prohibited; exceptions; penalty.—If any owner or proprietor of any saloon or other place where intoxicating liquor is kept for sale at

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retail, or any servant or employee, or agent of such owner or proprietor, shall suffer or permit any female under the age of twenty-one years to remain in or about said saloon, or any place where intoxicating liquor is kept for sale at retail, or any box or room used in connection with such saloon, or place in which intoxicating liquor is served, * * * such person upon conviction thereof shall be fined not less than $100 or more than $1,000, or be imprisoned in the county jail not less than three months or more than one year: *Provided however*, That the provisions of this act [s 2147] shall not apply to any female accompanied by her husband or parent, or to any open and public restaurant or dining room. [L O L 1910 s 2147]

Court decision.—This section was held constitutional.—State *v.* Baker, 50 Oreg. 381, 92 Pac. 1076 (1907).

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 4 to 20.—Every district clerk shall enroll annually during the last week in November for school purposes the names and ages of all persons in his district over four and under twenty years of age, and also the names and post-office addresses of all parents and guardians of such persons resident in the district. This annual school census shall include all youths between the ages of four and twenty years who, on the twenty-fifth day of November, actually resided in the district. [L O L 1910 s 4069]

COMPULSORY SCHOOL ATTENDANCE

Children from 9 to 15, inclusive; exceptions.—Every parent, guardian or other person in the State of Oregon having control or charge of any child, or children, between and including the ages of nine and fifteen[1] years of age, shall be required to send such child, or children, to the public schools for a term or period of not less or more than the number of months of public school held annually in the district in which such parent, guardian or other person in parental relation may reside: *Provided*, That in the following cases, children shall not be required to attend public schools: (*a*) Any child, or children, who is, or are, being taught for a like period of time in a private or parochial school, such branches as are usually taught in the first eight years in the public schools, or has, or have already acquired the ordinary branches of learning taught in such schools, the fact of which acquisition of such ordinary branches of learning by such child, or children, shall be determined by the school board in charge of the public school in such district; (*b*) Any child, or children, who is, or are, physically unable to attend school. In such cases the truant officer shall require a written statement of a competent physician certifying that such child, or children, is, or are, physically unable to attend school; (*c*) Children between the ages of nine and ten years of age whose parents live more than one and one-half miles, and children over ten years of age whose parents live more than three miles, by the nearest traveled road, from some public school: *Provided*, That if transportation is furnished pupils in said district this exemption shall not apply. (*d*) Any child, or children, who is, or are, being taught for a like period of time by the parent, or private teacher such subjects as are usually taught in the first eight years in the public school, but before such child, or children, can be taught by a parent or private teacher, such parent or private teacher must receive written permission from the county superintendent, who is hereby authorized to grant such permission only in case of necessity and such permission shall not extend longer than the end of the current school year. Such child, or children, must report to the county school superintendent or some person designated by him at least once every three months and take an examination in the work covered. If after such examination the county superintendent shall determine that such child, or children, is or are not being properly taught then the county superintendent shall order the parent, guardian or other person in parental relation to send such child, or children, to school the remainder of the school year. Failure on the part of the parent, guardian or other person in parental relation to comply with the order of the county superintendent shall render such person liable to the penalty provided for in this act. [L O L 1910 s 4119 as amended by 1911 C 243]

NOTE.—[This section amends by implication section 5025 as amended by section 4, chapter 138, Acts of 1911, the act amending the compulsory education law being filed later than the act amending the child labor law.]

[1] "Between and including the ages of 9 and 15 years" has been ruled upon by the Attorney General's office as ending with the fifteenth anniversary of the child's birth.

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Penalty.—In case any parent or other person in parental relation shall fail to comply with the provisions of this act [s 4119–4134] he shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be liable to a fine of not less than $5.00, nor more than $25, or by [to] imprisonment in the county or city jail not less than two nor more than ten days, or by [to] both such fine and imprisonment in the discretion of the court. [L O L 1910 s 4120]

Enforcement: appointment of truant officers.—(a) It shall be the duty of the district boundary board of each county to appoint one person to act as truant officer for the districts of the second and third class for said county, said truant officer to be under the control and direction of the district boundary board. The truant officer so appointed in counties of less than one hundred thousand inhabitants shall also act as probation officer for the juvenile court of said county and shall see that the child labor law is enforced in said county. * * * (b) It shall be the duty of the district school boards in districts of the first class to appoint truant officers as hereinafter provided. In districts of the first class it shall be the duty of the police authorities, at the request of the district school board of any such district, to detail one or more members of such police force to perform the duties of truant officer, but this provision shall not be construed as prohibiting such board of education from appointing any citizen, not a police officer, a truant officer. * * * (c) The district boundary board shall upon written application from the school board in any district of the second class grant such district permission to proceed according to paragraph (b) of this section. [L O L 1910 s 4121 as amended by 1911 C 243]

Enforcement: duties of truant officers, teachers, etc.—In case any parent or other person in parental relation shall fail to immediately send the child, or children, under his or her control, to the public school, as provided for in section 4119 of this act [s 4119–4134], the truant officer upon having notification from the proper authority of such fact, shall immediately and within twenty-four hours thereafter give formal written notice in person or by registered mail, to the parent or other person in parental relation, that the child, or children, under his or her control, shall present himself or themselves at the public school on the next school day following the receipt of such notice, with the necessary textbooks for instruction in the public school or schools of the district. Said notice shall inform the parent or other person in parental relation that attendance must begin and that such attendance at school must be consecutive during the remainder of the school year as taught in the district. The truant officer shall, at the same time the said formal notice is given to the parent or other person in parental relation, notify the principal or teacher if it be in a district of the third class, or city superintendent or principal if it be in a district of the first or second class, of the fact of notice, and it shall be the duty of such teacher, superintendent, or principal to notify the truant officer of the failure on the part of the parent or other person in parental relation to comply with said notice. [L O L 1910 s 4123 as amended by 1911 C 243]

Enforcement: duties of truant officers, justices of the peace, etc.—It shall be the duty of the truant officer, after having given the formal notice hereinbefore described, to determine whether the parent or other person in parental relation so notified, has complied with such notice, and in case he shall find that such parent or other person in parental relation has failed to comply, it shall be the duty of such officer to immediately and within three days after having knowledge of such failure, or after being notified thereof, to make a complaint against said parent or other person in parental relation having the legal charge and control of such child or children before a justice of the peace whose office is situated nearest the place where such parent or person in parental relation resides, and within the county of such residence, for such refusal or neglect to send such child or children to school. Said justice of the peace shall issue a warrant upon said complaint and shall proceed to hear and determine the same in the same manner as is provided by the statutes for other cases under his jurisdiction, and in case of conviction of any parent or other person in parental relation for violation of this act [s 4119–4134], said parent or other person in parental relation shall be punished according to the provisions of section 4120. [L O L 1910 s 4124]

Enforcement: duties of truant officers.—It shall be the duty of the truant officer in districts of the first class whenever notified by the teacher, superintendent, or other person of the violations of this act [s 4119–4134], and of the truant officer in the districts of the second and third classes when notified by the county school superintendent, to investigate all truancy or nonattendance at school, and if the child or children are not exempt from the provisions of this act under the conditions named in section 4119, then he shall immediately proceed as provided in sections 4124 and 4125. [L O L 1910 s 4125]

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Enforcement: duties of teachers, etc.—In all school districts of the second and third classes it shall be the duty of the district school clerk to provide the teacher or principal at the commencement of school, in his district, with a copy of the last school census, together with the names and addresses of all parents and persons in parental relation, also the name and address of the county school superintendent. The teacher or principal shall, at the beginning of the school term and every four weeks thereafter compare said census list with the enrollment of the school or schools under his or her charge and shall report to the secretary of the district boundary board the names and post-office addresses of parents or other persons in parental relation whose child or children of the ages hereinbefore mentioned is or are not in regular attendance at school, and also the name or names of such child or children, and it shall be the duty of the district boundary board to forthwith notify the proper truant officer of such nonattendance or irregularity of such children. [L O L 1910 s 4127]

Enforcement: duties of superintendents, principals, etc.—In all districts of the first class the clerk of the district school board shall at the commencement of school, furnish a copy of the last school census to the city superintendent or the principal of the schools in such districts, together with the names and addresses of the truant officers whose jurisdiction is in the district, and it shall be the duty of the city superintendent or principal at the opening of school, and every four weeks thereafter, to compare said census list with the enrollment of the school or schools, and to report to the proper truant officer the names and addresses of any parent or persons in parental relation whose child or children of ages hereinbefore mentioned are not in regular attendance at the public schools, and also the name or names of such children: *Provided*, That should a school census be taken in a school district of any class while a school is in session in such district, it shall be the duty of the clerk of such district to provide, within ten days after the completion of said census, the principal or superintendent with such school census in accordance with the provisions of sections 4127, 4128. [L O L 1910 s 4128]

PUBLIC EXHIBITIONS

PERMITS

Permits required under 16; to be issued by juvenile court judge.—It shall be unlawful for any minor child under the age of sixteen years to participate in any public entertainment where an admission fee is charged, unless such child, its parent, or parents, or guardian, or the manager of the place of amusement or public entertainment in which such child is to participate, shall have the written permission of the judge of the juvenile court. [L O L 1910 s 4425]

Violation; child.—Any minor participating in a public entertainment without permission, as is required in section 4425, shall be declared dependent, and dealt with accordingly. [L O L 1910 s 4426]

NOTE.—[Section 4414 of Lord's Oregon Laws, 1910, provides that dependent children may, by order of the court, be placed in some State institution, etc.]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of commissioner of labor statistics.—It shall be the duty of such officer [commissioner of labor statistics and inspector of factories and workshops] to cause to be enforced all the laws regulating the employment of children, minors, and women; all laws established for the protection of the health, lives, and limbs of operatives in workshops, factories, mills, and other places, and all laws enacted for the protection of the working classes * * *. [L O L 1910 s 5016]

Powers of commissioner of labor statistics; penalty for hindering inspector, etc.—Said commissioner [commissioner of labor statistics and inspector of factories and workshops] of the bureau of labor shall have power to enter any factory, mill, office, workshop, or public or private works, at any reasonable time, for the purpose of gathering facts and statistics, such as are contemplated by this act [s 5014–5022]; and to examine into the methods of protection from danger to employees, and the sanitary conditions in and around such buildings and places, and make a record thereof; and any owner or occupant of said factory, mill, office, or workshop, or public or private works, or his agent, or agents, who shall refuse to allow an inspector or employee of said bureau to enter shall be guilty of a misdemeanor, and, upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not less than $25 nor more than $100, or be imprisoned in the county jail not to exceed ninety days for each and every offense. [L O L 1910 s 5019]

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FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE

Employment under 14 in these occupations and in hotels, restaurants, etc., prohibited; employment under 16 in messenger, telephone, or telegraph service, prohibited.—No child under fourteen years of age shall be employed, permitted, or suffered to work in, or in connection with, any factory, workshop, mercantile establishment, store, business office, restaurant, bakery, hotel or apartment house. No child under the age of sixteen shall be employed, permitted or suffered to work in the telegraph, telephone, or public messenger service. [L O L 1910 s 5023 as amended by 1911 C 138 s 2]

ALL OCCUPATIONS

MINIMUM AGE

Employment under 14 during school hours prohibited.—No child under the age of fourteen years shall be employed in any work, or labor of any form, for wages or other compensation to whomsoever payable, during the term when the public schools of the town, district, or city in which he or she resides are in session. [L O L 1910 s 5024 as amended by 1911 C 138 s 3]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 9 to 14; from 14 to 16 if not lawfully employed.—Attendance at school shall be compulsory upon all children between the ages of nine and fourteen [1] years in all cities, towns, and villages of the State of Oregon during the whole of the school term in the city, town or village in which the child resides, and upon all children in such cities, towns and villages between the ages of fourteen and sixteen years who are not legally employed in some lawful work. [L O L 1910 s 5025 as amended by 1911 C 138 s 4]

ALL OCCUPATIONS

HOURS OF LABOR

Ten hours a day, 6 days a week, and night work prohibited, under 16; 30 minutes for midday meal required; hours to be posted.—No child under 16 years of age shall be employed at any work before the hour of seven in the morning, or after the hour of six at night, nor employed for longer than ten hours for any one day, nor more than six days in any one week; and every such child, under sixteen years of age, shall be entitled to not less than thirty minutes for meal time at noon, but such meal time shall not be included as part of the work hours of the day; and every employer shall post in a conspicuous place where such minors are employed, a printed notice stating the maximum work hours required in one week, and in every day of the week from such minors. [L O L 1910 s 5026 as amended by 1911 C 138 s 5]

Court decision.—The section of which this is an amendment was held constitutional.—State *v.* Shorey, 48 Oreg. 396, 86 Pac. 881 (1905).

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

EMPLOYMENT CERTIFICATES

Age and school certificates required under 16.—No child under sixteen years of age shall be employed, permitted or suffered to work in any employment enumerated in section 2 [5023] unless the person or corporation employing him procures and keeps on file and accessible to the school authorities of the district where such child resides, and to the police and board of inspectors of child labor an age and schooling certificate as hereinafter prescribed, and keep[s] a complete list of all such children employed therein. [L O L 1910 s 5027 as amended by 1911 C 138 s 6]

Court decision.—This section was held constitutional. A sawmill is a factory within the meaning of this act. Failure to procure the certificate required makes the employment of a child unlawful, and the employer can not recover under a policy of insurance carried by him and covering only lawful employment, although he might have made the child's employment legal by obtaining the certificate.—Wind River Lumber Co. *v.* Frankfort Insurance Co., 47 Oreg. 95, 196 Fed. 340 (1912).

[1] This section is amended by implication by the compulsory education law, section 4119 as amended by chapter 243, Acts of 1911, quoted on page 4.

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Secretary of board of inspectors of child labor to issue certificates; exceptions; fees forbidden.—An age and schooling certificate shall be executed, issued and approved only by the secretary of the board of inspection of child labor, or by a person authorized by him or her in writing: *Provided*, That no person authorized as aforesaid shall have authority to approve such certificate for any child then in or about to enter his own employment, or the employment of a firm or corporation of which he is a member, officer or employee. The person approving the certificate shall have authority to administer the oath provided for therein, but no fees shall be charged therefor, but in case of the loss of such certificate a certified copy may be furnished, for which a fee of fifty cents may be charged. [L O L 1910 s 5028 as amended by 1911 C 138 s 7]

Age records required.—An age and schooling certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the passport, the duly attested transcript of the certificate of birth or baptism of such child or other religious record, or the register of birth of such child with a town or city, [sic] that such child is of the age stated in the certificate. [L O L 1910 s 5029 as amended by 1911 C 138 s 8]

Contents of certificate; records of issuing office; certificate to be returned to child or issuing office.—A duplicate of each age and schooling certificate shall be filled out and kept on file by the secretary of the board of inspection of child labor. Any explanatory matter may be printed with such certificate in the discretion of the secretary. The age and schooling certificate shall be printed and shall be filled out, signed and held or surrendered as indicated in the following form:

AGE AND SCHOOLING CERTIFICATE.

This certifies that I am the (father, mother, guardian or custodian) of (name of child) ...., and that (he or she) was born at (name of town or city) ....., in the county of (name of county, if known), and State (or country) of ..... on the (day and year of birth) ...., and is now (number of years and months) .... old.

....
(Signature of father, mother, guardian or custodian.)

(Town or city and date.)

Then personally appeared before me the above named (name of person signing), ..., and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge and belief. I hereby approve the foregoing certificate of (name of child) .... height (feet and inches) .... eyes (color) ....., complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified. I hereby certify that (he or she) can read at sight and (can or can not) write legibly simple sentences in the English language, and that (he or she) has reached the normal development of a child of (his or her) age, and is in sound health and is physically able to perform the work which (he or she) intends to do, and that (he or she) has regularly attended the public schools or a school equivalent thereto, for not less than 160 days during the school year previous to arriving at the age of 14 years, or during the school year previous to applying for such school record, and has received during such period instruction in reading, spelling, writing, English grammar, and geography, and is familiar with the fundamental operations of arithmetic to and including fractions.

This certificate belongs to (name of child in whose behalf it is drawn) ...., and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same, but if not claimed by said child within thirty days from such time it shall be returned to the secretary of the board of inspectors of child labor.

....
(Signature of person authorized to approve and sign, with official character or authority.)

(Town or city and date.)

[L O L 1910 s 5030 as amended by 1911 C 138 s 9]

Evidence of illegal employment; penalty for retaining certificates and for false statements.—A failure to produce to the school authorities of the district where such child resides and to the police and to the board of inspectors of child labor any age and schooling certificate or list required by this act [s 5023–5036a] shall be prima facie evidence of the illegal employment of any person whose age and schooling certificate is not produced or whose name is not so listed. Any corporation or employer retaining any age and schooling certificate in violation of section 5 [5026],[1] of this act, shall be

[1] The sections referred to should probably be 5028 and 5030, as section 5026 relates entirely to hours of labor.

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fined $10. Every person authorized to sign the certificate prescribed by section 5 [5026] of this act who knowingly certifies to any material false statement therein shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than $5 and not more than $50. [L O L 1910 s 5031 as amended by 1911 C 138 s 10]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of board of inspectors of child labor.—The board of inspectors of child labor or any one or more of them or anyone authorized by such board in writing may visit the factories, workshops and mercantile establishments in their several towns and cities and ascertain whether any minors are employed therein contrary to the provisions of this act [s 5023–5036a], and they shall report any cases of such illegal employment to the proper school authorities and to the district attorney of the county. The board of inspectors of child labor may require that the age and schooling certificates and lists provided for by this act, of minors employed in such factories, workshops, or mercantile establishments, shall be produced for their inspection. Complaints for offenses under this act shall be brought by the board of inspectors of child labor to the attention of the proper district attorney and offenses hereunder shall be prosecuted by such district attorney. [L O L 1910 s 5032 as amended by 1911 C 138 s 10]

PENALTIES

Violation of act; employer, etc.—Any person or corporation who shall employ a minor contrary to the provisions of this act [s 5023–5036a], or who shall violate any of the provisions thereof, shall be guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than $10 nor more than $25 for the first offense, nor less than $25 nor more than $50 for the second offense, and be imprisoned for not less than ten nor more than 30 days for the third and each succeeding offense. [L O L 1910 s 5033 as amended by 1911 C 138 s 11]

Violation of act; parent, etc.—Any parent or guardian who shall violate any of the provisions of this act [s 5023–5036a] or allow any child under their custody or control to be employed contrary to the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $5 and not more than $25. [L O L 1911 s 5034 as amended by 1911 C 138 s 12]

EMPLOYMENT CERTIFICATES

Vacation permits may be granted children from 12 to 14; board of inspectors of child labor to issue permits.—The board of inspectors of child labor may in its discretion allow children between the ages of twelve and fourteen to be employed in any suitable work during any school vacation extending over a term of two weeks and may issue permits therefor. It shall be the duty of such board to exercise careful discretion as to the character of such employment and its effect on the physical and moral well-being of the child. [L O L 1910 s 5035 as amended by 1911 C 138 s 13]

ENFORCEMENT

Appointment of board of inspectors of child labor; female inspectors.—The board of inspectors of child labor of the State of Oregon, heretofore appointed such board under the provisions of the act of which this is amendatory, and now serving are hereby appointed a board of inspectors of child labor of the State of Oregon, and shall serve without compensation, except that the secretary of such board of inspectors who shall be a member of such board, shall be allowed a yearly salary not exceeding one thousand five hundred dollars. The term for which such inspectors shall serve shall be one, two, three, four and five years, respectively, from the time of their original appointment, the terms to remain as already determined by lot under said original act, and upon the expiration of the term of any one of said inspectors the governor shall appoint his or her successor to serve for a term of five years. Appointments shall be so made that three at least of said inspectors shall always be women. [L O L 1910 s 5036 as amended by 1911 C 138 s 14]

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MESSENGERS

HOURS OF LABOR

Night work prohibited under 18.—No person under the age of eighteen years shall be employed or permitted to work as a messenger for a telegraph or messenger company or any one engaged in such a business in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [L O L 1910 s 5036a as added by 1911 C 138 s 15][1]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR AND SEATS FOR GIRLS

Ten hours a day, 60 a week.—No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company in this State more than ten hours during any one day or more than sixty hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of one day, or sixty hours during any one week. [L O L 1910 s 5037]

Court decision.—The section of which this is an amendment was held constitutional.—Muller v. Oregon, 48 Oreg. 252, 208 U. S. 412 (1905).

Seats to be provided and their use permitted.—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment. [L O L 1910 s 5038]

Penalty.—Any employer who shall require any female to work in any of the places mentioned in section 5037 more than the number of hours provided for in this act [s 5037–5039] during any day of twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females in his employ so that they shall not work more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect or refuse to provide suitable seats, as provided in section 5038 of this act, or who shall permit or suffer any overseer, superintendent, or other agent of any such employer to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than $25 nor more than $100. [L O L 1910 s 5039]

METALLIFEROUS MINES

HOURS OF LABOR

Eight hours a day; exceptions; application of act.—No person who operates any underground mine yielding gold or silver or copper or lead or other metal shall permit or require any person to work in such underground mine for more than eight hours in any twenty-four hours and the hours of employment in such employment or workday shall be consecutive excluding, however, any intermission of time for lunch or meals; but, in the case of emergency, where life or property is in imminent danger, persons may work in such underground mines for a longer time during the continuance of the exigency or emergency. This act [s 5058–5059] shall not apply to mines in their first stages of development, such as tunnel work to a length of 200 feet, or shaft work to a depth of 150 feet, or to any surface excavation. [L O L 1910 s 5058]

Penalty.—Any person, persons, body corporate, general manager or employer who shall violate or cause to be violated any of the provisions of section 5058 of this act [s 5058–5059], shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $50, nor more than $300 or by imprisonment of not less than thirty days, nor more than three months. And the court shall have discretion to impose both fine and imprisonment as herein provided. [L O L 1910 s 5059]

[1] This section has been ruled by the Attorney General to apply to any department of telegraph, telephone, or messenger company.

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ELEVATORS

MINIMUM AGE

Employment under 18 prohibited.—No person, firm, or corporation shall employ or allow any person under the age of eighteen (18) years to run, operate, or have charge of, any elevator used for the purpose of carrying either persons or property. [L O L 1910 s 5062]

Court decision.—If an employer knew that a minor servant was operating an elevator, it was his duty to see that he ceased, or to discharge him.—Beaver v. Mason, Ehrman & Co., 143 Pac. 1000 (1914).

Penalty.—Any person, either for himself or as manager, agent, or officer of any corporation, who is guilty of violating any of the provisions of this act [s 5062–5063] shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $10 nor more than $100, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment. [L O L 1910 s 5063]

LOGGING CAMPS

MINIMUM AGE

Employment under 18 as engineer, etc., and under 16 as signalman prohibited; penalty.—It shall be unlawful for any person, firm or corporation to employ or allow any person under the age of eighteen years to act as engineer of or have charge of or operate any logging engine or engines used in logging operations, or to employ or allow any person under the age of sixteen years to act in the capacity of giving signals to the engineer in logging operations or receiving and forwarding such signals. Any person, firm or corporation, and the agent, manager, or superintendent thereof, violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten dollars ($10) nor more than one hundred [dollars] ($100), or by imprisonment in the county jail not less than thirty days, nor more than six months, or by both such fine and imprisonment. [1911 C 74 s 1]

RAILROADS[1]

HOURS OF LABOR

Application of act; definitions.—The provisions of this act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad wholly within the State of Oregon. The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement or lease; and the term "employees" as used in this act shall be held to mean persons actually engaged in or connected with the movement of any train. [1911 C 137 s 1]

Period of rest after 14 hours' work for certain employees, 9 hours a day for telegraph and telephone operators; exceptions.—It shall be unlawful for any common carrier, its officers or agents, subject to this act to require or permit any employee subject to this act to be or remain on duty for a longer period than fourteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for fourteen hours, he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutve hours off duty; and no such employee who has been on duty fourteen hours in the aggregate in any twenty-four hour period, shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in any towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four

[1] See court decision on page 7 (New York).

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additional hours in a twenty-four-hour period on not exceeding three days in any week. [1911 C 137 s 2]

NOTE.—[Section 6948 of Lord's Oregon Laws, 1910, relating to hours of labor for certain employees on railroads, is apparently superseded by section 2, chapter 137, of the Acts of 1911, quoted above.]

Penalty; enforcement: duties of railroad commission,[1] *etc.; application of act; exceptions.*—Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be liable to a penalty of not to exceed five hundred dollars for each and every violation, to be recovered in a suit or suits to be brought by the attorney general or the district attorney in the district where such violation shall have been committed; and it shall be the duty of such attorney general or district attorney to bring such suits upon satisfactory information being lodged with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the railroad commission[1] of Oregon, to lodge with the attorney general or proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers and agents: *Provided,* That the provisions of this act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen [foreseen]: *Provided further,* That the provisions of this act shall not apply to the crews of wrecking or relief trains. [1911 C 137 s 3]

Enforcement: duties and powers of railroad commission[1].—It shall be the duty of the railroad commission[1] to execute and enforce the provisions of this act, and all powers granted to the railroad commission are hereby extended to it in the execution of this act. [1911 C 137 s 4]

MINIMUM AGE

Employment under 21 as flagman prohibited.— * * * No person or corporation owning or operating a railroad within this State shall employ or use as a flagman on or in connection with the operation of any passenger train any person who can not read and write and speak the English language or any person who is less than 21 years of age. [1911 C 219 s 1]

Liability for damages.—Any person or corporation owning or operating a railroad in this State, shall be liable for any damage caused from a failure to comply with the provisions of this act. [1911 C 219 s 2]

Penalty.—Any person or corporation owning or operating any railroad in this State, failing to comply with the provisions of this act within the time limited, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than five hundred dollars nor more than two thousand dollars. [1911 C 219 s 3]

Enforcement: duties and powers of railroad commission,[1] *etc.*—The [railroad][1] commission shall inquire into any neglect or violation of the laws of this State by any railroad corporation doing business therein, or by the officers, agent, or employees thereof, or by any person operating a railroad, and shall have the power, and it shall be its duty, to enforce * * * all * * * laws relating to railroads and report all violations thereof to the attorney general; upon the request of the commission it shall be the duty of the attorney general or the prosecuting attorney of the proper county to aid in any investigation, hearing, or trial * * *, and to institute and prosecute all necessary actions or proceedings for the enforcement of * * * all * * * laws of this State relating to railroads, and for the punishment of all violations thereof. * * * [L O L 1910 s 6940]

ALL OCCUPATIONS[2]

MINIMUM WAGE, HOURS, AND CONDITIONS OF LABOR

Employment of girls for unreasonably long hours or under other conditions detrimental to health, etc., prohibited.—It shall be unlawful to employ women or minors in any occu-

[1] The railroad commission of Oregon was designated the public service commission of Oregon by chapter 241 of the Acts of 1915.

[2] This act begins with a preamble which reads as follows:

Whereas, The welfare of the State of Oregon requires that women and minors should be protected from conditions of labor which have a pernicious effect on their health and morals, and inadequate wages and unduly long hours and unsanitary conditions of labor have such a pernicious effect; therefore,

Be it enacted by the people of the State of Oregon:

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pation within the State of Oregon for unreasonably long hours; and it shall be unlawful to employ women or minors in any occupation within the State of Oregon under such surroundings or conditions—sanitary or otherwise—as may be detrimental to their health or morals; and it shall be unlawful to employ women in any occupation within the State of Oregon for wages which are inadequate to supply the necessary cost of living and to maintain them in health; and it shall be unlawful to employ minors in any occupation within the State of Oregon for unreasonably low wages. [1913 C 62 s 1]

Court decision.—This act is constitutional.—Simpson *v.* O'Hara, 141 Pac. 158 (1914).

Industrial welfare commission established; organization.—There is hereby created a commission composed of three commissioners, which shall be known as the "Industrial Welfare Commission"; and the word "commission" as hereinafter used refers to and means said industrial welfare commission; and the word "commissioner" as hereinafter used refers to and means a member of said industrial welfare commission. Said commissioners shall be appointed by the governor. The governor shall make his first appointments hereunder within thirty days after this bill becomes a law; and of the three commissioners first appointed, one shall hold office until January 1, 1914, and another shall hold office until January 1, 1915, and the third shall hold office until January 1, 1916; and the governor shall designate the terms of each of said three first appointees. On or before the first day of January of each year, beginning with the year 1914, the governor shall appoint a commissioner to succeed the commissioner whose term expires on said first day of January; and such new appointee shall hold office for the term of three years from said first day of January. Each commissioner shall hold office until his successor is appointed and has qualified; and any vacancy that may occur in the membership of said commission shall be filled by appointment by the governor for the unexpired portion of the term in which such vacancy occurs. A majority of said commissioners shall constitute a quorum to transact business, and the act or decision of such a majority shall be deemed the act or decision of said commission; and no vacancy shall impair the right of the remaining commissioners to exercise all the powers of said commission. The governor shall, so far as practicable, so select and appoint said commissioners—both the original appointments and all subsequent appointments—that at all times one of said commissioners shall represent the interests of the employing class and one of said commissioners shall represent the interests of the employed class and the third of said commissioners shall be one who will be fair and impartial between employers and employees and work for the best interests of the public as a whole. [1913 C 62 s 2]

Chairman; secretary; compensation.—The first commissioners appointed under this act shall, within twenty days after their appointment, meet and organize said commission by electing one of their number as chairman thereof and by choosing a secretary of said commission; and by or before the 10th day of January of each year, beginning with the year 1914, said commissioners shall elect a chairman and choose a secretary for the ensuing year. Each such chairman and each such secretary shall hold his or her position until his or her successor is elected or chosen; but said commission may at any time remove any secretary chosen hereunder. Said secretary shall not be a commissioner; and said secretary shall perform such duties as may be prescribed and receive such salary as may be fixed by said commission. None of said commissioners shall receive any salary as such. * * * [1913 C 62 s 3]

Commission empowered to establish standard hours of labor, etc.—Said commission is hereby authorized and empowered to ascertain and declare, in the manner hereinafter provided, the following things: (*a*) Standards of hours of employment for women or for minors and what are unreasonably long hours for women or for minors in any occupation within the State of Oregon; (*b*) standards of conditions of labor for women or for minors in any occupation within the State of Oregon and what surroundings or conditions—sanitary or otherwise—are detrimental to the health or morals of women or of minors in any such occupation; (*c*) standards of minimum wages for women in any occupation within the State of Oregon and what wages are inadequate to supply the necessary cost of living to any such women workers and to maintain them in good health; and (*d*) standards of minimum wages for minors in any occupation within the State of Oregon and what wages are unreasonably low for any such minor workers. [1913 C 62 s 4]

Commission to investigate wages, hours and conditions of labor, etc.—Said commission shall have full power and authority to investigate and ascertain the wages and the hours of labor and the conditions of labor of women and minors in the different occupations in which they are employed in the State of Oregon; and said commission shall have full

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power and authority, either through any authorized representative or any commissioner to inspect and examine any and all books and payrolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the questions of wages or hours of labor or conditions of labor of any such women workers or minor workers in any of said occupations and to require from any such employer full and true statements of the wages paid to and the hours of labor of and the conditions of labor of all women and minors in his employment. [1913 C 62 s 5]

Records to be kept by employers; definitions.—Every employer of women or minors shall keep a register of the names of all women and all minors employed by him, and shall, on request, permit any commissioner or any authorized representative of said commission to inspect and examine such register. The word "minor," as used in this act, refers to and means any person of either sex under the age of eighteen years; and the word "women," as used in this act, refers to and means a female person of or over the age of eighteen years. [1913 C 62 s 6]

Powers of commission to subpoena witnesses, administer oaths, etc.—Said commission may hold meetings for the transaction of any of its business at such times and places as it may prescribe; and said commission may hold public hearings at such times and places as it deems fit and proper for the purpose of investigating any of the matters it is authorized to investigate by this act. At any such public hearing any person interested in the matter being investigated may appear and testify. Said commission shall have power to subpoena and compel the attendance of any witness at any such public hearing or at any session of any conference called and held as hereinafter provided; and any commissioner shall have power to administer an oath to any witness who testifies at any such public hearing or at any such session of any conference. All witnesses subpoenaed by said commission shall be paid the same mileage and per diem as are allowed by law to witnesses in civil cases before the circuit court of Multnomah county. [1913 C 62 s 7]

Method of establishing "conference"; its powers, duties, and recommendations.—If, after investigation, said commission is of opinion that any substantial number of women workers in any occupation are working for unreasonably long hours or are working under surroundings or conditions detrimental to their health or morals or are receiving wages inadequate to supply them with the necessary cost of living and maintain them in health, said commission may call and convene a conference for the purpose and with the powers of considering and inquiring into and reporting on the subject investigated by said commission and submitted by it to such conference. Such conference shall be composed of not more than three representatives of the employers in said occupation and of an equal number of the representatives of the employees in said occupation and of not more than three disinterested persons representing the public and of one or more commissioners. Said commission shall name and appoint all the members of such conference and designate the chairman thereof. Said commission shall present to such conference all information and evidence in the possession or under the control of said commission which relates to the subject of the inquiry by such conference; and said commission shall cause to be brought before such conference any witnesses whose testimony said commission deems material to the subject of the inquiry by such conference. After completing its consideration of and inquiry into the subject submitted to it by said commission, such conference shall make and transmit to said commission a report containing the findings and recommendations of such conference on said subject. Accordingly as the subject submitted to it may require, such conference shall, in its report, make recommendations on any or all of the following questions concerning the particular occupation under inquiry, to wit: (a) standards of hours of employment for women workers and what are unreasonably long hours of employment for women workers; (b) standards of conditions of labor for women workers and what surroundings or conditions—sanitary or otherwise—are detrimental to the health or morals of women workers; (c) standards of minimum wages for women workers and what wages are inadequate to supply the necessary cost of living to women workers and maintain them in health. In its recommendations on a question of wages such conference shall, where it appears that any substantial number of women workers in the occupation under inquiry are being paid by piece rates as distinguished from time rate recommend minimum piece rates as well as a minimum time rate and recommend such minimum piece rates as will in its judgment be adequate to supply the necessary cost of living to women workers of average ordinary ability and maintain them in health; and in its recommendations on a question of wages such conference shall, when it appears proper or necessary, recommend suitable minimum wages for learners and apprentices and the maximum length of time any woman worker may be

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kept at such wages as a learner or apprentice, which said wages shall be less than the regular minimum wages recommended for the regular women workers in the occupation under inquiry. Two-thirds of the members of any such conference shall constitute a quorum; and the decision or recommendation or report of such a two-thirds on any subject submitted shall be deemed the decision or recommendations or report of such conference. [1913 C 62 s 8]

Commission empowered to fix minimum wage, hours, and conditions of labor; publication and posting of orders.—Upon receipt of any report from any conference said commission shall consider and review the recommendations contained in said report; and said commission may approve any or all of said recommendations or disapprove any or all of said recommendations; and said commission may resubmit to the same conference or a new conference any subject covered by any recommendations so disapproved. If said commission approves any recommendations contained in any report from any conference, said commission shall publish notice, not less than once a week for four successive weeks in not less than two newspapers of general circulation published in Multnomah County, that it will on a date and at a place named in said notice hold a public meeting at which all persons in favor of or opposed to said recommendations will be given a hearing; and, after said publication of said notice and said meeting, said commission may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry the same into effect and require all employers in the occupation affected thereby to observe and comply with such recommendations and said order. Said order shall become effective in sixty days after it is made and rendered and shall be in full force and effect on and after the 60th day following its making and rendition. After such order becomes effective and while it is effective, it shall be unlawful for any employer to violate or disregard any of the terms or provisions of said order or to employ any woman worker in any occupation covered by said order for longer hours or under different surroundings or conditions or at lower wages than are authorized or permitted by said order. Said commission shall, as far as is practicable, mail a copy of any such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment in which women workers work. No such order of said commission shall authorize or permit the employment of any woman for more hours per day or per week than the maximum now fixed by law: *Provided however*, that in case of emergencies which may arise in conduct of any industry or occupation overtime may be permited under conditions and rules which the commission, after investigation, shall determine and prescribe by order and which shall apply equally to all employers in such industry or occupation. [1913 C 62 s 9 as amended by 1915 C 35]

Special individual minimum wage may be granted women physically defective, in occupations having only minimum time rate.—For any occupation in which only a minimum time rate wage has been established, said commission may issue to a woman physically defective or crippled by age or otherwise a special license authorizing her employment at such wage less than said minimum time rate wage as shall be fixed by said commission and stated in said license. [1913 C 62 s 10]

Commission empowered to determine wages, hours, and conditions of labor for minors; publication and posting of notices.—Said commission may at any time inquire into wages or hours or conditions of labor of minors employed in any occupation in this State and determine suitable wages and hours and conditions of labor for such minors. When said commission has made such determination, it may issue an obligatory order in the manner provided for in section 9 of this act; and, after such order is effective, it shall be unlawful for any employer in said occupation to employ a minor at less wages or for more hours or under different conditions of labor than are specified or required in or by said order; but no such order of said commission shall authorize or permit the employment of any minor for more hours per day or per week than the maximum now fixed by law or at any times or under any conditions now prohibited by law. [1913 C 62 s 11]

Application of act; powers of conference to make separate orders for different occupations, etc.—The word "occupation" as used in this act shall be so construed as to include any and every vocation and pursuit and trade and industry. Any conference may make a separate inquiry into and report on any branch of any occupation; and said commission may make a separate order affecting any branch of any occupation. Any conference may make different recommendations and said commission may make different orders for the same occupation in different localities in the State when, in

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the judgment of such conference or said commission, different conditions in different localities justify such different recommendations or different orders. [1913 C 62 s 12]

Court decision.—That an order of the industrial welfare commission, fixing minimum wages and maximum hours of labor for women, applied only to a certain locality does not contravene the constitution.—Stettler *v.* O'Hara, 139 Pac. 743 (1914).

Enforcement of orders by commission.—Said commission shall, from time to time, investigate and ascertain whether or not employers in the State of Oregon are observing and complying with its orders and take such steps as may be necessary to have prosecuted such employers as are not observing or complying with its orders. [1913 C 62 s 13]

Commission to receive assistance from other State agencies.—The "commissioner of labor statistics and inspector of factories and work shops" and the several officers of the "board of inspection of child labor" shall, at any and all times, give to said commission any information or statistics in their respective offices that would assist said commission in carrying out this act and render such assistance to said commission as may not be inconsistent with the performance of their respective official duties. [1913 C 62 s 14]

Commission empowered to make rules and regulations.—Said commission is hereby authorized and empowered to prepare and adopt and promulgate rules and regulations for the carrying into effect of the foregoing provisions of this act including rules and regulations for the selection of members and the mode of procedure of conferences. [1913 C 62 s 15]

Right of appeal from decisions.—All questions of fact arising under the foregoing provisions of this act shall, except as otherwise herein provided, be determined by said commission, and there shall be no appeal from the decision of said commission on any such question of fact; but there shall be a right of appeal from said commission to the circuit court of the State of Oregon for Multnomah County from any ruling or holding on a question of law included in or embodied in any decision or order of said commission, and, on the same question of law, from said circuit court to the supreme court of the State of Oregon. In all such appeals the attorney general shall appear for and represent said commission. [1913 C 62 s 16]

Penalty for violation of act.—Any person who violates any of the foregoing provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars or by imprisonment in the county jail for not less than ten days nor more than three months or by both such fine and imprisonment in the discretion of the court. [1913 C 62 s 17]

Testimony of employee not to cause discharge or discrimination; penalty.—Any employer who discharges or in any other manner discriminates against any employee because such employee has testified, or is about to testify, or because such employer believes that said employee may testify, in any investigation or proceedings under or relative to this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars. [1913 C 62 s 18]

Right to recover balance when paid less than minimum wage.—If any woman worker shall be paid by her employer less than the minimum wage to which she is entitled under or by virtue of an order of said commission, she may recover in a civil action the full amount of her said minimum wage less any amount actually paid to her by said employer, together with such attorney's fees as may be allowed by the court; and any agreement for her to work for less than such minimum wage shall be no defense to such action. [1913 C 62 s 19]

Biennial reports.—Said commission shall, on or before the 1st day of January of the year 1915 and of each second year thereafter, make a succinct report to the governor and legislature of its work and the proceedings under this act during the preceding two years. [1913 C 62 s 20]

MANUFACTURING ESTABLISHMENTS, MILLS, AND FACTORIES

HOURS OF LABOR

More than ten hours a day declared prejudicial to health, etc.—It is the public policy of the State of Oregon that no person shall be hired, nor permitted to work for wages, under any conditions or terms, for longer hours or days of service than is consistent with his health and physical well-being and ability to promote the general welfare by his increasing usefulness as a healthy and intelligent citizen. It is hereby de-

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clared that the working of any person more than ten hours in one day, in any mill, factory or manufacturing establishment is injurious to the physical health and well-being of such person, and tends to prevent him from acquiring that degree of intelligence that is necessary to make him a useful and desirable citizen of the State. [1913 C 102 s 1]

Ten hours a day; exceptions; compensation for overtime.—No person shall be employed in any mill, factory or manufacturing establishment in this State more than ten hours in any one day, except watchmen and employees when engaged in making necessary repairs, or in case of emergency, where life or property is in imminent danger: *Provided however*, Employees may work overtime not to exceed three hours in any one day, conditioned that payment be made for said overtime at the rate of time and one-half the regular wage. [1913 C 102 s 2]

Court decision.—This section was not held to apply to one making ordinary repairs in a sawmill.—State *v.* Young, 145 Pac. 647 (1915).

Penalty.—Any employer who shall require or permit any person to work in any of the places mentioned in section 2 of this act more than the number of hours in said section provided for, during any day of 24 hours, or who shall permit or suffer any overseer, superintendent, or other agent of any such employer, to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined for such offense not less than $50 nor more than $500: *Provided*, That each day's violation of this act or any part thereof shall be deemed a separate offense. [1913 C 102 s 3]

Court decision.—This act is constitutional.—State *v.* Bunting, 139 Pac. 731 (1914).

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***Note.*—[*The duties and powers heretofore exercised by the department of factory inspection have been transferred by section 22, Pamphlet Laws 396, Acts of 1913, to the department of labor and industry. In every case the new enforcing authority has been indicated by an insertion in brackets in the text, the former enforcing powers being omitted.*]**

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls of any age in saloons, etc., prohibited; exceptions.—It shall not be lawful for any owner, proprietor, keeper or agent of any hotel, tavern, saloon or eating house, or other places where intoxicating liquors are sold, to employ or permit the employment of any female, at any such hotel, tavern, saloon or eating house, to sell, vend, offer, procure, furnish or distribute any intoxicating drinks, or any admixture thereof, ale, beer, wine or cider, to any person or persons, or to employ any female as lady conversationalist, or for the purpose of attracting persons to such places, or to permit the assembling of females at such places, as aforesaid, for the purpose of enticing customers, or making assignations for improper purposes; nor shall it be lawful for any

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female, not having a license, as permitted by the laws of this Commonwealth, for the sale of intoxicating liquors, to sell at any hotel, tavern, eating house or saloon, offer, procure, furnish or distribute any intoxicating drinks, or any admixture thereof, ale, beer, wine or cider, to any person or persons. Nothing in this act shall be so construed as to prevent the wife or daughter of any person having a license for [from] selling or distributing aforesaid liquors. [1878 Pamphlet Laws 9 section 1; Stewart's Purdon's Digest 1903 volume 2 page 2320]

Court decision.—It is a violation of the act to employ females to sell liquors though the employer enters into a partnership with them.—Walter v. Commonwealth, 88 Pa. 137 (1878).

Penalty.—Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction of the same, shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars for each and every female so employed, or undergo an imprisonment of not less than three months, or more than one year, or either or both, at the discretion of the court having jurisdiction of the case. [1878 P L 9 s 2; S P D 1903 v 2 p 2320]

Penalty; revocation of license.—No license for the sale of intoxicating liquors shall be granted to any person or persons, except upon the express condition that the person or persons so licensed shall and will not employ any female or females as provided in the first section hereof; and any person or persons so licensed shall, upon conviction for violating the provisions hereof, in addition to the penalties provided in the second section, forfeit his, her or their license. [1878 P L 9 s 3; S P D 1903 v 2 p 2309]

PUBLIC EXHIBITIONS IN CITIES

MINIMUM AGE

Employment of girls of any age as waitresses in first class cities prohibited; penalty.—It shall not be lawful for any female to attend among or wait upon the audience or spectators at any of the exhibitions, performances or entertainments mentioned hereinbefore [theatrical exhibitions, circus riding, juggling, acrobatic performances, etc.], or at any other place of public amusement in any city of the first class, to procure, offer, furnish or distribute any description of commodities or refreshments whatsoever; nor shall it be lawful for any manager or proprietor of any such exhibition, performance, entertainment or place of public amusement to employ or permit the employment of any female to attend among or wait upon the audience or spectators thereat, to procure, offer or distribute any description of commodities or refreshments whatsoever; and any person violating any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment not exceeding one year, or both or either, at the discretion of the court. [1879 P L 73 s 2; S P D 1903 v 1 p 320]

Enforcement; powers of mayors in first class cities.—It shall be lawful for the mayor of any city of the first class, upon proof satisfactory to him, by affidavit under oath or affirmation, of the violation of any of the provisions of this act or of any other act of assembly or ordinance of such city regulating places of amusement, or that the exhibition, performances, entertainments, or any of them, given under color of said license, are or have been immoral or unlawful, to vacate, annul and render void and of no effect any license which shall have been obtained as aforesaid, by any manager, proprietor, owner or lessee, for the holding such exhibition, performance or entertainment, or allowing or letting any part of a building or other premises for the purpose thereof; and it shall also be lawful for the said mayor to prevent any such exhibition, performance or entertainment from being held, exhibited or performed, until the license hereinbefore provided for shall be paid, or if the same shall have been annulled or vacated for violation of any of the provisions of this act, or otherwise, and to that end to direct the police to close the building, room or other place in which the said exhibition, performance or entertainment is intended to be held, and prevent the entrance of auditors or spectators. [1879 P L 73 s 3; S P D 1903 v 1 p 316]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 15 in rope walking, acrobatic performances, etc., and of any minor child in injurious or immoral occupations, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody or control of any minor child under the age

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of fifteen years, who shall in any manner sell, apprentice, give away or otherwise dispose of such child, and any person who shall take, receive or employ such child for the vocation or occupation of rope or wire walking, or as an acrobat, gymnast, contortionist or rider, and any person who, having the care, custody or control of any minor child whatsoever, shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child, for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health or dangerous to the life or limb of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor or employ any minor child in or about any assignation house or brothel, or in any place where any obscene, indecent or illegal exhibition takes place, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, magistrate or court of record, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [1879 P L 142 s 2; S P D 1903 v 2 p 1875]

Employment under 18 in street singing, playing on musical instruments, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody or control, lawful or unlawful, for [of] any minor child under the age of eighteen years, who shall use such minor or apprentice, give away, let out, hire or otherwise dispose of such minor, to any person, for the purpose of singing, playing on musical instruments, begging, or for any mendicant business whatsoever, in the streets, roads or other highways of this Commonwealth, and whosoever shall take, receive, hire, employ, use or have in custody, any such minor, for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging, upon the street[s], roads, or other highways of the Commonwealth, or for any mendicant business whatever, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [1879 P L 142 s 3; S P D 1903 v 2 p 1875]

Employment under 15 in concert halls, theaters, etc., where spirituous liquors are sold, etc., prohibited; penalty for parent, employer, etc.—Any person having the care, custody or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away or permit such child to sing, dance, act, or in any manner exhibit, in any dance house whatever, or in any concert saloon, theater or place of entertainment, where wines or spirituous or malt liquors are sold or given away, or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected, by any passageway or entrance, and any proprietor of any dance house whatever, or any such concert saloon, theater or place of entertainment, so employing any such child, shall be guilty of a misdemeanor, and upon conviction thereof * * * shall be fined not less than fifty dollars nor more than one hundred dollars for each offense. [1879 P L 142 s 4; S P D 1903 v 2 p 1875]

Enforcement: duties of constables, police officers, etc.—Whenever any person shall, before a magistrate or justice of the peace, make oath or affirmation that the affiant believes that this act has been or is being violated in any place or house, such justice or magistrate shall forthwith issue a warrant to a constable or other authorized officer, to enter such place or house and investigate the same; and such person may arrest or cause to be arrested all offenders, and bring them before any justice, magistrate or court of record for a hearing of the case; and it shall be the duty of all constables and policemen to aid in bringing all such offenders before said authorities for a hearing. [1879 P L 142 s 6; S P D 1903 v 2 p 1877]

Enforcement: powers of humane societies.—Any duly organized or incorporated humane society, having for one of its objects the protection of children from cruelty, may offer any agents or officers employed by them to the mayor of any city of the first, second, third, fourth or fifth class, for the purpose of being commissioned to act as police officers through the limits of said city, for the purpose of arresting all the offenders of this act, or any of the provisions thereof; whereupon the mayor in such city shall, if such persons are proper and discreet persons, commission them to act as such police officers, with all the rights and powers appertaining thereto; * * * and in any district or township not incorporated, such humane society may offer similarly qualified persons to the court of common pleas of the county, whereupon such court or any judge thereof shall, if they be fit persons, commission such persons to act as constables, with power to arrest all offenders against this act or any provisions thereof; * * * all persons thus qualified under this section, shall be deemed to be constables and authorized officers, within the meaning of section six of this act; and the keepers of jails or lockups, or station houses, in any of said counties, are required to receive all persons arrested by such policemen, or constables. [1879 P L 142 s 8; S P D 1903 v 2 p 1877]

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COAL MINES

MINIMUM AGE

Employment of girls of any age prohibited; exceptions; penalty.—It shall be unlawful for any person, firm, company, corporation or association engaged in mining coal, mining and manufacturing or manufacturing it, in this State, their clerks, agents, superintendents, officers or servants, to employ, cause or permit to be employed, any female labor or laborers in and about the coal mine, or any of the manufactories of coal, in this State; and any person so offending, upon conviction, shall be fined in any sum not exceeding five hundred dollars, nor less than one hundred dollars, or be imprisoned in the county jail for a period not exceeding six months, either or both in the discretion of the court; one-half of said fine to go to the informer and the remainder to the school fund of the district wherein the offense shall have been committed: *Provided however*, That the provisions of this bill shall not affect the employment of a female in an office or in the performance of clerical work at such mine or colliery. [1885 P L 202 s 1; S P D 1903 v 2 p 1662]

NOTE.—[Section 1, Pamphlet Laws 202, Acts of 1885, quoted above, is apparently superseded by Pamphlet Laws 176, Acts of 1891, and Pamphlet Laws 756, Acts of 1911, but the law of 1891 is of doubtful enforcibility on account of the attempted amendment of it in 1903 which was held unconstitutional.]

STREET RAILWAYS

HOURS OF LABOR

Twelve hours a day; exceptions; compensation for overtime.—It shall be unlawful for the president, board of directors, superintendent or other agents of any horse, cable and electric railway company to permit or suffer any conductor, driver or any other person in the employ of any such company, to work more than twelve hours in any one day in the service of such company: *Provided*, That all necessary labor, over and above the time set by this section, shall be considered overwork, for which the laborer shall receive additional compensation. [1887 P L 13 s 1; S P D 1903 v 4 p 3976]

Penalty.—Any president, director or other officer of such company, who shall permit or suffer any conductor, driver or any other person in the employ of such company, to work more than twelve hours of any one day in the service of such company, except as provided in section one, shall be guilty of a misdemeanor, and, on conviction thereof, shall suffer imprisonment for not less than thirty days, nor more than six months. [1887 P L 13 s 2; S P D 1903 v 4 p 3976]

Evidence of violation.—On the preliminary trial, or hearing of any such president, director or other officer, charged with the misdemeanor aforesaid, evidence of the actual service by such conductor, driver or any other employee, during more than twelve hours in any one day, shall be sufficient prima facie proof of such permission or sufferance, by such president, director or other officer: *Provided however*, That a party charged with such offense may show, in his defense, that such excessive service was without his knowledge, permission or sufferance. [1887 P L 13 s 3 S P D 1903 v 4 p 3977]

COAL MINES (ANTHRACITE)

MINIMUM AGE

Employment of boys under 14 in mines, under 12 in outside workings, and of girls of any age, prohibited; exceptions.—No boy under the age of fourteen (14) years, and no woman or girl of any age, shall be employed or permitted to be in any mine for the purpose of employment therein. Nor shall a boy under the age of twelve years or a woman or girl of any age, be employed or permitted to be in or about the outside structures or workings of a colliery for the purpose of employment: *But it is provided however*, That this prohibition shall not affect the employment of a boy or female of suitable age in an office or in the performance of clerical work at a colliery. [1891 P L 176 No 177 art 9 s 1]

NOTE.—[An amendment to this section (raising the ages of boys to 16 and 14 years respectively) made in section 1 of Pamphlet Laws 359, No. 266, Acts of 1903, is given in Purdon's Digest 1903, volume 3, page 2572, in lieu of the section quoted above, but the same was declared unconstitutional, as the title did not indicate the purpose expressed.—Commonwealth *v.* Schulte, 26 Pa. Super. Ct. 95 (1904).

The above section in so far as it relates to the employment of boys is apparently superseded by Pamphlet Laws 286, Acts of 1915, which prohibits employment under 14 in any occupation and under 16 in any mine.]

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AGE CERTIFICATES

NOTE.—[Section 2 of the above article (1891 P L 176 No 177 art 9 s 2; S P D 1903 v 3 p 2572), relating to age certificates, is apparently superseded by Pamphlet Laws 286, Acts of 1915.]

ENFORCEMENT

False certificates of age or illegal employment, violation of act.—If any person or persons contravene or fail to comply with the provisions of this act [No 177] in respect to the employment of boys, young male persons or females, or if he or they shall connive with or permit others to contravene or fail to comply with said provisions, or if a parent or guardian of a boy or young male person make or give a false certificate of the age of such boy or young male person, or knowingly do or perform any other act for the purpose of securing employment for a boy or young male person under the lawful employment age and in contravention of the provisions of this act, he or they shall be guilty of an offense against this act. [1891 P L 176 No 177 art 9 s 3; S P D 1903 v 3 p 2572]

Duties and powers of judge of quarter sessions court; penalty.—Any judge of the court of quarter sessions of the peace of the county in which the mine or colliery, at which the offense, act or omission as hereinafter stated has occurred, is situated, is hereby authorized and required, upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner, operator or superintendent, or any other person employed in or about such mine or colliery had been negligently guilty of an offense against the provisions of this act [No 177], whereby a dangerous accident had resulted or might have resulted to any person or persons employed in such mine or colliery, to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge, who shall hear and determine the guilt or innocence of the person or persons so charged; and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars, in all cases not otherwise provided for in this act, or an imprisonment in the county jail for a period not exceeding three (3) months, or both, at the discretion of the court. [1891 P L 176 No 177 art 17 s 1; S P D 1903 v 3 p 2582]

General penalty.—All offenses under this act are declared to be misdemeanors, and in default of payment of any penalty or cost by the party or parties sentenced to pay the same, he or they may be imprisoned for a period not exceeding three (3) months and not less than thirty (30) days. [1891 P L 176 No 177 art 17; s 4 S P D 1903 v 3 p 2583]

BAKERIES, ETC.

HOURS OF LABOR

Night work prohibited under 18.—* * * No person under the age of eighteen (18) years shall be employed in any bakehouse between the hours of nine (9) o'clock at night and five (5) o'clock in the morning. * * * [1897 P L 112 s 1]

Twelve hours a day, 60 a week, for minors and women.—No minor male or female, [or] adult woman, shall be employed at labor or detained in any biscuit, bread, pie or cake bakery, pretzel or macaroni establishment, for a longer period than twelve hours in any one day, nor for a longer period than sixty hours in any one week. [1901 P L 68 s 1; S P D 1903 v 1 p 397]

NOTE.—[The above section supersedes, according to a footnote in Purdon's Digest 1903, section 1 of Pamphlet Laws 112 of the Acts of 1897. In Commonwealth *v.* Junker, 20 Pa. Co. Ct. 503 (1898), it was held that the provision (in section 1, Pamphlet Laws 112, Acts of 1897) as to the limit of a week's labor was meaningless and absurd, and that no indictment upon it can be sustained. However, that provision applied also to male employees, and a similar act was held unconstitutional in Lochner *v.* New York, 198 U. S. 45; and, as Pamphlet Laws 68 No. 37, Acts of 1901, does not provide regarding night work of minors, it appears to be open to judicial construction as to whether that provision in section 1, Pamphlet Laws 112, Acts of 1897, is or is not in force.]

Penalty for violation of preceding section.—Any person who violates any of the provisions of this act * * * shall be guilty of a misdemeanor, and on conviction before any justice of the peace, magistrate, alderman, mayor or burgess, shall be punished by a fine of not less than twenty nor more than fifty ($50) dollars, for a first offense; and not less than fifty ($50) nor more than one hundred ($100) dollars, for a second offense, or imprisonment for not more than ten (10) days; and for a third offense, by a fine of not less than two hundred and fifty ($250) dollars and [not] more than thirty (30) days imprisonment. [1901 P L 68 s 11; S P D 1903 v 1 p 398]

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PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 18 in theatrical performances, singing, etc., without consent of parent, etc., prohibited; penalty.—Any person, association, agency or corporation who shall take, receive, hire, employ, use, or have in custody, any child under the age of eighteen years, or who shall endeavor to secure by advertisement or otherwise any such minor child for the vocation, occupation, calling, service or purpose of taking part in any theatrical performance, or athletic exhibition, or of singing, or of playing upon musical instruments, without the consent of the parents or legally appointed guardians of such child having been first obtained, shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, magistrate or court of record, shall be fined not less than fifty dollars and not more than one hundred dollars. And upon second conviction, shall be imprisoned not less than one year and not more than three years. [1901 P L 220 s 1; S P D 1903 v 1 p 318]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

HOURS OF LABOR

Twelve hours a day, 60 a week, for minors and women.—No minor male or female, or adult woman, shall be employed at labor or detained in any manufacturing establishment, mercantile industry, laundry, workshop, renovating works or printing office, for a longer period than twelve hours in any day, nor for a longer period than sixty hours in any week. [1901 P L 322 s 1; S P D 1903 v 2 p 1603]

Court decision.—A former act on the above subject was held constitutional.—Commonwealth *v.* Beatty, 15 Pa. Super. Ct. 5 (1900).

NOTE.—[The above section was repealed in so far as it is inconsistent, and is apparently in large part superseded by Pamphlet Laws 286, Acts of 1915, regulating the hours of labor for minors under 16 and by Pamphlet Laws 1024, Acts of 1913, regulating the hours of labor for women.]

AGE CERTIFICATES AND EDUCATIONAL REQUIREMENTS

NOTE.—[Sections 3 and 4 of the above act (1901 P L 322, s 3, 4; S P D 1903 v 2 p 1603), relating to age certificates and educational requirements, are apparently superseded by Pamphlet Laws 286, Acts of 1915].

HOURS OF LABOR

Hours to be posted; lists required under 16.—Every person, firm or corporation, employing men, women or children, or either, in any factory, manufacturing or mercantile industry, laundry, workshop, renovating works, or printing office, shall post and keep posted, in a conspicuous place in every room where such help is employed, a printed notice, stating the number of hours per day for each day of the week required of such persons, and, in every room where children under sixteen years of age are employed, a list of their names with their age. [1901 P L 322 s 5; S P D 1903 v 2 p 1604]

PENALTIES

Violation of act.—Any person who violates any of the provisions of this act, or who suffers any child or female to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by [a] fine of not more than five hundred dollars. * * * [1901 P L 322 s 21; S P D 1903 v 2 p 1606]

MINES

ENFORCEMENT

Duties and powers of chief of the department of mines.—It shall be the duty of the chief of the department [of mines] to devote the whole of his time to duties of his office, and to see that the mining laws of the State are faithfully executed; and for this purpose he is hereby invested with the same power and authority as the mine inspectors, to enter, inspect and examine any mine or colliery within the State, and the works and machinery connected therewith. * * * [1903 P L 180 s 4; S P D 1903 v 3 p 2551]

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COAL MINES (ANTHRACITE)

NOTE.—[The provisions of Pamphlet Laws 344, Acts of 1905 (P L 344; S P D Supp 1905–1909 v 5 pp 5675–5678), relating to employment in anthracite coal mines, are apparently superseded by Pamphlet Laws 286, Acts of 1915.]

REGULATED OCCUPATIONS

APPLICATION OF ACT

Definitions.—The term "establishment," where used for the purpose of this act, shall mean any place within this Commonwealth other than where domestic, coal mining or farm labor is employed; where men, women or children are engaged, and paid a salary or wages, by any person, firm or corporation, and where such men, women or children are employees, in the general acceptance of the term. [1905 P L 352 s 1; S P D Supp 1905–1909 v 5 p 5482]

Court decisions.—An incorporated club maintaining a bowling alley is an "establishment" within the meaning of the above section.—McElhone *v.* Philadelphia Quartette Club, 53 Pa. Super. Ct. 262 (1913). The word "industrial" used in the title of this act does not limit the term "establishment" used in section 1, and the pumping station of a water company is an establishment within the meaning of the act.—McNabb *v.* Clear Springs Water Co., 239 Pa. 502 (1913).

ANY GAINFUL OCCUPATION

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

NOTE.—[Sections 2, 5, and 6 of the above act (1905 P L 352 s 2, 5, and 6; S P D 1905–1909 v 5 pp 5482–5483), relating to minimum age and employment certificates, are apparently superseded by Pamphlet Laws 286, Acts of 1915.]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning machinery in motion, operating elevators, etc., prohibited under 16.—No minor under sixteen years of age shall be permitted to clean or oil machinery while in motion, or to operate, or otherwise have the care or custody of, any elevator or lift. [1905 P L 352 s 4; S P D Supp 1905–1909 v 5 p 5483]

Court decision.—A child employed in violation of a former section on the above subject was not guilty of contributory negligence.—Sullivan *v.* Hanover Cordage Co., 222 Pa. 40, 70 Atl. 909 (1908).

NOTE.—[The above section, in so far as it relates to oiling or cleaning machinery in motion, is apparently superseded by section 5, Pamphlet Laws 286, Acts of 1915, which raises the minimum age to 18.]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Time for midday meal required.—Not less than one hour shall be allowed for the noonday meal in any establishment But the chief factory inspector may, for good cause, reduce the time for the noonday meal in establishments where all the other provisions of this act are observed, which entail duties upon the part of employers. [1905 P L 352 s 9; S P D Supp 1905–1909 v 5 p 5484]

NOTE.—[The above section appears to be superseded by section 6, Pamphlet Laws 1024, acts of 1913, so far as it applies to mealtime for females.]

REGULATED OCCUPATIONS

ENFORCEMENT

Laws, hours of labor, and lists to be posted.—Every person, firm or corporation employing men, women or children, in any establishment, shall post and keep posted in a conspicuous place, in every room where such help is employed, a printed copy of the factory laws, a printed notice stating the number of hours per day for each day of the week required of such persons; and in every room where children under sixteen years of age are employed, a list of their names, with their ages. [1905 P L 352 s 10; S P D Supp 1905–1909 v 5 p 5484]

Powers of commissioner of labor and industry.—It shall be the duty of the owner, superintendent, assistant or person in charge of any establishment to furnish, from

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time to time, to the [commissioner of labor and industry] or his deputy any information required by the provisions of this act, and the [commissioner of labor and industry] and his deputies shall have authority to inspect any such establishment, at any time, for the purpose of enforcing the provisions of this act. [1905 P L 352 s 21; S P D Supp 1905–1909 v 5 p 5486]

PENALTIES

Violation of act, illegal employment, etc.—Any person who violates any of the provisions of the foregoing sections of this act, or who suffers any female, minor or a child to be employed in or about his or her establishment, in violation of any of the provisions of the foregoing sections of this act, or who, being authorized to administer oaths, shall violate any of the provisions of sections five and six of this act, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars, or an imprisonment in the county jail for a term not less than ten days nor more than sixty days, for each and every such violation. In all cases the prosecution shall be instituted, in the name of the Commonwealth, by the deputy factory inspector of the district where the offense is alleged to have been committed, and the hearing shall be conducted by the alderman, justice of the peace or other committing magistrate before whom the information is lodged. * * * [1905 P L 352 s 23; S P D Supp 1905–1909 v 5 p 5487]

Court decision.—Employment of a child in violation of the statute is evidence of negligence. While the statute is penal, fine and imprisonment are not exclusive remedies, but an action for damages will lie where injury results from the unlawful employment of a child.—Stehle *v.* Jaeger Automatic Machine Co., 220 Pa. 617, 69 Atl. 1116 (1908).

EMPLOYMENT CERTIFICATES, ETC.

NOTE.—[Section 25, Pamphlet Laws 352, Acts of 1905, relating to blank forms for employment certificates, subdivision of State into inspection districts, etc., is apparently superseded by section 18, Pamphlet Laws 286, Acts of 1915, regulating the preparation of employment certificate forms by the superintendent of public instruction, and by section 8, Pamphlet Laws 396, Acts of 1913, regulating the subdivision of State into inspection districts by the commissioner of labor and industry.]

IMMORAL OCCUPATIONS

MINIMUM AGE

Sending minors to immoral places prohibited; penalty.—Any person, firm, company or corporation, having authority over a minor, who knowingly takes or sends, or causes or permits such minor to be sent, to any house of prostitution or assignation, or other immoral place of resort or amusement, shall be guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding one year, or both, at the discretion of the court. [1909 P L 59 s 1; S P D Supp 1905–1909 v 5 p 5224]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, STREET TRADES, ETC.

MINIMUM AGE

Employment under 18 regulated.—No minor under the age of eighteen years, except as hereinafter provided, shall be employed, permitted, or suffered to work, in, or about, or for any factory, workshop, rolling mill, sawmill, quarry, laundry, store; mercantile, printing, or binding establishment; dock, wharf; vessel or boat engaged in lake or river navigation or commerce, railroad, in the erection or repair of electric wires, business office, telegraph office, telephone office, stable, garage, hotel, restaurant, bootblack stand, or the transmission of newspapers, messages, or merchandise. [1909 P L 283 s 1; S P D Supp 1905–1909 v 5 p 5605]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 18; oiling machinery in motion, elevators, dangerous processes, etc.—Male minors over the age of eighteen years may be employed in any and all kinds of legal employment within the Commonwealth; but all minors

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under the age of eighteen years shall not be employed in or about blast-furnaces, docks, wharves, in quarries, in the outside erection and repair of electric wires; in the running or management of elevators, lifts, or hoisting-machines; in oiling hazardous and dangerous machinery in motion; at switch-tending, gate-tending, track repairing; as brakemen, firemen, engineers, motormen, conductors upon railroads; as pilots, firemen, or engineers upon boats or vessels engaged in the transportation of passengers or merchandise; in or about establishments wherein nitroglycerin, dynamite, dualin, guncotton, gunpowder, or other high or dangerous explosive, is manufactured, compounded or stored. [1909 P L 283 s 2; S P D Supp 1905–1909 v 5 p 5605 as amended by 1913 P L 862]

Court decision.—The word "Railroads," as used in this section, includes a private railroad at an industrial plant, used for the transportation of freight.—Oxford Coal Co. *v.* Fidelity & Casualty Co. of New York, 93 Atl. 1072 (1915).

Employment from 14 to 16 and from 16 to 18 permitted in certain occupations; ability to read and write English and physical fitness required from 14 to 16.—Minors over the age of sixteen years may be employed in or about establishments for the manufacture or preparation of white lead, red lead, paints, phosphorus, phosphorus matches, poisonous acids, or for the manufacture or stripping of tobacco or cigars: *Provided*, That where it is proved to the satisfaction of the [commissioner of labor and industry] that the danger or menace to the health or safety of minors employed in any establishment or industry named in this section has been removed, or that employment in some part or parts of said industry is not dangerous, or a menace to the health or safety of minors employed therein, that in such case minors under the age of sixteen years, and not under the age of fourteen years, who can read and write the English language intelligently, and are physically qualified, may be therein employed. [1909 P L 283 s 3; S P D Supp 1905–1909 v 5 p 5605]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

EDUCATIONAL AND PHYSICAL REQUIREMENTS

Ability to read and write English and physical fitness required for employment from 14 to 18.—Minors over the age of fourteen years, who can read and write the English language intelligently, and are physically qualified, may be employed in or for mercantile establishments, stores; telegraph, telephone, or other business offices; hotels, restaurants; or in any factory, workshop, rolling mills, or other establishment having proper sanitation;[1] or in any factory, workshop, rolling mills, or other establishment having proper sanitation and proper ventilation, and in which power machinery is not used, or, if used, that the same, and all other dangerous appliances used, are kept securely and properly safeguarded; rules and regulations for the same to be prescribed and provided by the [commissioner of labor and industry]. [1909 P L 283 s 4; S P D Supp 1905–1909 v 5 p 5606]

NOTE.—[Sections 1–4 of Pamphlet Laws 283, Acts of 1909 (1909 P L 283 s 1–4; S P D Supp 1905–1909 v. 5 pp 5605–5606) are apparently in large part superseded by Pamphlet Laws 286, Acts of 1915.]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, DANGEROUS AND INJURIOUS OCCUPATIONS, ETC.

HOURS OF LABOR

Ten hours a day, 58 a week, night work prohibited, and time for midday meal required, for boys under 16 and girls under 18; exceptions.—No male minor under the age of sixteen years, and no female under the age of eighteen years, shall be employed, permitted, or suffered to work, in or about or for any establishment, place of business, or industry, named in sections three and four of this act, for a longer period than ten hours in any one day, except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter workday for one day in the week; nor shall a less period than forty-five minutes be allowed for the midday meal; and in no case shall the hours of labor exceed fifty-eight in any one week. No male minor under the age of sixteen years, and no female under the age of eighteen years, shall

[1] This clause beginning "or in any factory" is evidently erroneously included, as a repetition of same follows immediately.

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be employed or permitted to work between the hours of nine postmeridian and six antemeridian. [1909 P L 283 s 5; S P D Supp 1905–1909 v 5 p 5606]

NOTE.—[Section 5, Pamphlet Laws 283, Acts of 1909, quoted above, was repealed by Pamphlet Laws 1024, Acts of 1913, so far as it is inconsistent therewith. With the exception of the provisions in regard to mealtime, it is apparently superseded, in so far as it relates to minors under 16, by Pamphlet Laws 286, Acts of 1915.]

EMPLOYMENT CERTIFICATES AND RECORDS

NOTE.—[Sections 7–10 of Pamphlet Laws 283, Acts of 1909 (1909 P L 283 s 7–10; S P D Supp 1905–1909 v 5 pp 5606–5607), relating to employment certificates, are apparently superseded by Pamphlet Laws 286, Acts of 1915.]

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Duties and powers of commissioner of labor and industry and truant officers; violations of act, false statements, etc.—Any person who shall violate any of the provisions of this act, or any person who shall make a false statement, or shall present a forged birth certificate or baptismal certificate or passport, or other official or religious record of the minor's age, or a forged attested transcript thereof, for the purpose of securing an employment certificate under the provisions of this act, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall for the first offense be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25), or to undergo an imprisonment in the jail of the proper county of not more than ten days, or both, at the discretion of the court; and for the second and any subsequent offense shall be sentenced to pay a fine of not more than fifty dollars ($50), or to undergo an imprisonment in the jail of the proper county of not more than ninety days, or both, at the discretion of the court. It shall be the duty of the [commissioner of labor and industry], and the truant officers of the various school districts of this Commonwealth, to carry out the provisions of this act, and prosecutions for violations thereof may be instituted by the [commissioner of labor and industry], or the truant officer of the proper school district. [1909 P L 283 s 11; S P D Supp 1905–1909 v 5 p 5607 as amended by 1913 P L 69]

COAL MINES

MINIMUM AGE AND EMPLOYMENT CERTIFICATES AND RECORDS

NOTE.—[Section 1 and sections 3–6 of Pamphlet Laws 375, Acts of 1909, of which sections 1, 3, and 5 were amended by Pamphlet Laws 983, Acts of 1911, relating to minimum age and employment certificates, are apparently superseded by Pamphlet Laws 286, Acts of 1915, and section 2 of the same act, quoted below, is apparently superseded by the later law with the exception of the provisions in regard to meal time.]

HOURS OF LABOR

Ten hours a day, 58 a week, night work prohibited, and time for midday meal required, under 16.—No minor under the age of sixteen years shall be employed, permitted, or suffered to work, in or about or for any establishment or industry named in section one of the [this] act [coal breaker or washery or outside workings of coal mine], for a longer period than ten hours in any one day, except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter workday for one day in the week; nor shall a less period than thirty minutes be allowed for the midday meal; and in no case shall the hours of labor exceed fifty-eight in any one week. No minor under the age of sixteen years shall be employed or permitted to work between the hours of nine postmeridian and six antemeridian. [1909 P L 375 s 2; S P D Supp 1905–1909 v 5 p 5680 as amended by 1911 P L 537]

ENFORCEMENT AND PENALTIES

Duties of chief of department of mines and truant officers; violation of act, false statements, etc.—Any person who shall violate any of the provisions of this act, or any person who shall make a false statement, or shall present a forged birth certificate or baptismal certificate or passport, or other official or religious record of the minor's age, or a forged attested transcript thereof, for the purpose of securing an employment certificate under the provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall for the first offense be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25), or to undergo

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an imprisonment in the proper county jail of not more than ten days, or both, at the discretion of the court; and for the second and each subsequent offense shall be sentenced to pay a fine of not more than fifty dollars ($50), or to undergo an imprisonment in the proper county jail of not more than ninety days, or both, at the discretion of the court.

It shall be the duty of the chief of the department of mines, and the truant officers of the various school districts of this Commonwealth, to carry out the provisions of this act; and prosecutions for violations thereof may be instituted by either the chief of the department of mines or the truant officer of the proper school district. [1909 P L 375 s 7; S P D Supp 1905–1909 v 5 p 5681 as amended by 1913 P L 70]

EDUCATIONAL REQUIREMENTS—ALL OCCUPATIONS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16.—Every child having a legal residence in this Commonwealth, as herein provided, between the ages of eight and sixteen years, is required to attend a day school in which the common English branches provided for in this act are taught; and every parent, guardian, or other person, in this Commonwealth, having control or charge of any child or children, between the ages of eight and sixteen years, is required to send such child or children to a day school in which the common English branches are taught; and such child or children shall attend such school continuously through the entire term, during which the public elementary schools in their respective districts shall be in session: *Provided*, That the certificate of any principal or teacher of a private school, or of any institution for the education of children in which the common English branches are taught, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section, if such instruction is satisfactory to the proper county or district superintendent of schools: *Provided further*, That the board of school directors in any district of the fourth class may, at a meeting held at any time before the opening of the school term, reduce the period of compulsory attendance to not less than seventy per centum of the school term as fixed in such district, in which case, however, the board of school directors must, at the same time, fix the period for the compulsory attendance to begin. [1911 P L 309 s 1414; S P D Supp 1912 p 113]

Exemptions if mentally or physically incapacitated, etc.—The board of school directors of any school district in this Commonwealth may, upon satisfactory evidence being furnished to it, showing that any child or children, are prevented from attending school, or from application to study, on account of any mental, physical, or other urgent reasons, excuse such child or children from attending school as required by the provisions of this act, but the term "urgent reasons" shall be strictly construed and shall not permit of irregular attendance. Every principal or teacher in any public, private, or other school may, for reasons enumerated above, excuse any child for nonattendance during temporary periods. [1911 P L 309 s 1415; S P D Supp 1912 p 114]

Exemptions from 14 to 16 if regularly and lawfully employed, etc.—The provisions of this act requiring regular attendance shall not apply to any child, between the ages of fourteen and sixteen years, who can read and write intelligently and is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law. [1911 P L 309 s 1416; S P D Supp 1912 p 114]

Court decision.—Mere employment, without the possession of the employment certificate provided by law, is not sufficient to exempt a child from attendance or to relieve the father so employing the child, from liability to a penalty.—Commonwealth *v.* Levey, 22 Pa. Dist. R. 285 (1912).

Exemptions on account of distance.—In case there is no public school in session within two miles, by the nearest traveled road, of the residence of any child, such child shall be exempt from the provisions of this act relating to compulsory attendance, unless proper free transportation be furnished to such child to and from school. [1911 P L 309 s 1418; S P D Supp 1912 p 114]

Lists required of children from 14 to 16 employed during school hours.—Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and sixteen years, during the hours when the public schools are in session, shall, on or before the first day of September in each year, and quarterly thereafter, during the period of compulsory

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attendance, furnish to the superintendent of schools, supervising principal, or secretary of the board of school directors of the district in which such child or children reside, the name, age, place of residence, and name of parent or guardian, of every such child in his or its employ or service. Such reports shall be made upon blanks to be furnished by the superintendent of public instruction at the expense of the Commonwealth. [1911 P L 309 s 1419; S P D Supp 1912 p 114]

Lists to be posted.—Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and sixteen years, during the hours when the public schools are in session, and during the period of compulsory attendance in any school district, shall make a true and correct list of all such children, giving their names, ages, places of residence, names of parents or guardians, the dates of, and names of the persons issuing the employment certificates, and the time of beginning and ending of service with him or it, which list shall be clearly written or printed and kept publicly posted at the place of employment of such child, where the same may be inspected by any member of the board of school directors or the secretary thereof, by the district superintendent, the supervising principal, or the attendance officer of any school district, at any time during business hours. [1911 P L 309 s 1420; S P D Supp 1912 p 114]

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment from 8 to 14 prohibited during school hours; certificates required from 14 to 16; employer to notify issuing office at termination of employment.—No person in this Commonwealth, either for himself or for any firm, association, or corporation, shall, during the term of compulsory attendance as fixed by the board of school directors in any school district, and during the hours the public schools are in session, accept service from, engage, or employ any child or children between eight and fourteen years of age; nor shall he accept service from, engage, or employ any child or children between the ages of fourteen and sixteen years, unless such child shall first furnish and deliver to such employer an employment certificate issued according to law.

If the child leaves such employment, or is absent from such employment five days, the employer shall immediately, in writing, notify accordingly the school official who issued the certificate. [1911 P L 309 s 1421; S P D Supp 1912 p 115 as amended by 1915 P L 174]

PENALTIES

Employer, etc.—Any person or persons accepting service from, or engaging or employing, any child between eight and fourteen years of age during the term of compulsory attendance, and while the public schools are in session, or accepting service from, engaging, or employing any child during the same period of time, between the ages of fourteen and sixteen years, without being first furnished by such child with an employment certificate, or failing to furnish to the district superintendent of schools, supervising principal, attendance officer, or secretary of the board of school directors, the information required by this act concerning the children employed by him or them, or shall fail to post for inspection, at the place of employment of such children, the list of children engaged by him or them, as required by the provisions of this act, who shall fail to notify the proper school official as required by the last preceding section of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished for a first offense by a fine of not less than ten dollars ($10.00) or more than twenty-five dollars ($25.00) or ten days' imprisonment in the county jail, or either or both, at the discretion of the court, and for a subsequent offense shall be punished by a fine of not less than twenty dollars ($20.00) or more than fifty dollars ($50.00), or ninety days' imprisonment in the county jail, or either or both, at the discretion of the court. [1911 P L 309 s 1422; S P D Supp 1912 p 115 as amended by 1915 P L 174]

Parent, etc.—Every parent, guardian, or person in parental relation in this Commonwealth, having control or charge of any child or children, between the ages of eight and sixteen years, who shall fail to comply with the provisions of this act regarding compulsory attendance, shall be guilty of a misdemeanor, and on conviction thereof before any alderman, magistrate, or justice of the peace shall be sentenced to pay a fine, for the benefit of the school district in which such offending person resides, not exceeding two dollars ($2.00) for the first offense, and not exceeding five dollars ($5.00) for each succeeding offense, together with costs, and, in default of the payment of such fine and costs by the person so offending, shall be sentenced to the county jail for a period not exceeding five days: *Provided*, That any person sentenced to pay any

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such fine may, at any time within five days thereafter appeal to the court of quarter sessions of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs: *And provided,* That before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, such offending person shall have three days' written notice given him by the superintendent of public schools, supervising principal, attendance officer, or secretary of the board of school directors of such violation, and if, after such notice has been given, the provisions of this act regarding compulsory attendance are again violated by the persons so notified, at any time during the term of compulsory attendance, such person, so again offending, shall be liable under the provisions of this act without further notice. * * * [1911 P L 309 s 1423; S P D Supp 1912 p 115]

SCHOOL CENSUS

Enumeration of children from 6 to 16 and of employers of children under 16; penalty for hindering attendance officers, etc.—The board of school directors in every school district in this Commonwealth shall, between April first and September first of each year, cause to be made by the attendance officers, teachers, or other persons employed for this purpose, a careful, correct, and accurate enumeration, in a substantial book or books provided by the superintendent of public instruction, at the expense of the State, for that purpose, of all the children between the ages of six and sixteen years within their district, giving the full name, date of birth, age, sex, nationality, place of residence in such school district, name and address of parent or persons in parental relation, the name and location of the school where the child is enrolled or belongs, and the name and address of the employer of any child under sixteen years of age who is engaged in any regular employment or service. Such enumeration shall be made by careful inquiry at the residence of each family in the district, and the person making the same, upon completion thereof, shall make a proper oath or affirmation as to its correctness. Such enumeration shall also include the names and addresses of all persons, firms, or corporations employing or accepting service from children under sixteen (16) years of age. If any person shall hinder or prevent, or attempt to hinder or prevent, any attendance officer or teacher, or other person, from performing any duty provided for in this section, he shall, on conviction thereof before any alderman or justice of the peace of the county, be sentenced to pay a fine not exceeding five dollars or to undergo an imprisoment not exceeding five days. [1911 P L 309 s 1425; S P D Supp 1912 p 116 as amended by 1915 P L 238]

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of teachers, truant officers, etc.—It shall be the duty of every principal or teacher of a public school to report immediately to the attendance officer, superintendent of schools, supervising principal, or secretary of the board of school directors, the names of all children in the list furnished to him who have not appeared for enrollment, and he shall also promptly report, from time to time, to the attendance officer, superintendent of schools, supervising principal or secretary of the board of school directors, the names of all children who have been absent three days, or their equivalent, during the term of compulsory attendance, without lawful excuse. Such person shall thereupon serve upon the parent, guardian, or other person in parental relation to such children, the written notice hereinbefore provided, and if it shall appear that, within three days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, the superintendent, supervising principal, attendance officer, or secretary of the board of school directors, in the name of the school district, shall proceed against the person so offending, in accordance with the provisions of this act. [1911 P L 309 s 1428; S P D Supp 1912 p 116]

Enforcement: appointment, duties, and powers of attendance officers.—The board of school directors of every school district in this Commonwealth of the first, second, or third class, shall, and in any school district of the fourth class may, employ one or more persons to be known as attendance officers, whose duties shall be to enforce the provisions of this act regarding compulsory attendance. Such attendance officers shall, in addition to the duties imposed upon them by the provisions of this act, have full police power without warrant, and may arrest or apprehend any child who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or from school. [1911 P L 309 s 1432; S P D Supp 1912 p 117]

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Enforcement: powers of attendance officers.—Such attendance officer shall have full power and authority to enter, during business hours, any place where any children are employed, to ascertain whether or not any child is engaged therein that should attend school as herein provided, and such attendance officer shall have the right to demand and inspect the employment certificate of any child engaged therein. [1911 P L 309 s 1434; S P D Supp 1912 p 117]

Penalty for hindering attendance officers, etc.—Any officer, director, superintendent, manager, employee, or other person, at any place where any child between fourteen and sixteen years of age is engaged, who refuses to permit, or in any way interferes with, the entrance therein of the attendance officer, any member of the board of school directors, the secretary thereof, the district superintendent, or supervising principal of any school district, as provided for in this act, shall be guilty of a misdemeanor, and on conviction thereof before any magistrate, alderman, or justice of the peace shall be sentenced to pay a fine of not less than five dollars ($5.00) or more than twenty-five dollars ($25.00), in default of which he may be sentenced to imprisonment not exceeding thirty days: *Provided*, That any person sentenced to pay any such fine may, upon giving proper surety in double the amount of penalty and costs, at any time within five days thereafter, appeal to the court of quarter sessions of the proper county. [1911 P L 309 s 1435; S P D Supp 1912 p 117]

COAL MINES (BITUMINOUS)

MINIMUM AGE

Employment of boys under 18 under certain conditions, and of girls of any age, prohibited; girls from 14 to 16 excepted in offices.—* * * No woman or girl of any age, shall be employed, permitted or suffered to work in or about any mine,[1] and no boy under the age of eighteen years shall be permitted to mine or load coal in any room, entry, or other working place, unless in company with an experienced person over eighteen years of age. * * * Nothing in this section shall be held to forbid the employment of a girl between the ages of fourteen and sixteen years in the office of a mine. * * * [1911 P L 756 art 18 s 1; S P D Supp 1912 p 414]

Violation of act a misdemeanor.—Any superintendent or mine foreman who fails to comply with the provisions of this article shall be deemed guilty of a misdemeanor, and it shall be the duty of the inspector, or any other person who knows that the superintendent or mine foreman has violated any of the provisions of this article, to prosecute said superintendent or said mine foreman in accordance with section two of article twenty-six of this act * * *. [1911 P L 756 art 18 s 2; S P D Supp 1912 p 414]

Enforcement: duties of mine inspector.—Each inspector [of mines] shall devote the whole of his time to the duties of his office. It shall be his duty to thoroughly examine each mine in his district as often as possible (but at least once every four months), * * * to see that all the provisions of this act are observed and strictly carried out * * *. He shall keep in his office a record of all examinations of mines, showing * * * the extent to which the law is obeyed and the progress made in the improvement of mines. * * * [1911 P L 756 art 19 s 11; S P D Supp 1912 p 416]

Enforcement: powers of mine inspectors.—To enable the inspector to perform the duties imposed upon him by this act, he shall have the right at all times to enter any mine in his district, or any mine in any other district when directed to do so by the chief of the department of mines, to make examinations or obtain information; and upon the discovery of any violation of this act, or upon being informed of any violation of the act, he shall institute proceedings against the person or persons at fault, under the provisions of section two of article twenty-six of this act. * * * [1911 P L 756 art 19 s 13; S P D Supp 1912 p 416]

Penalty.—Any person who neglects or refuses to perform the duties required of him by this act, or who violates any of the provisions or requirements thereof, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, in the court of quarter sessions of the county in which the misdemeanor was committed, be punished by a fine not exceeding two hundred dollars, or imprisonment in the county jail for a period not exceeding three months, or both, at the discretion of the court. Any violation of this act which has been declared to be a misdemeanor by any part thereof shall be punished in like manner. [1911 P L 756 art 26 s 2; S P D Supp 1912 p 427]

[1] Article 1 provides that "whenever the term 'mine' appears in this act it shall be construed to mean 'bituminous coal mine.'"

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Application of act.—The provisions of this act shall not apply to any mine employing less than ten persons inside the mine in any one period of twenty-four hours. [1911 P L 756 art 28 s 3; S P D Supp 1912 p 428]

ALL REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Duties of bureau of inspection [department of labor and industry].—The bureau of inspection [department of labor and industry], subject to the supervision of the commissioner of labor and industry, shall have charge of all inspections made pursuant to the provisions of this act, and shall perform such other duties as may be assigned to it by the commissioner of labor and industry. The said bureau shall be under the charge of the chief inspector * * * subject to the supervision and direction of the commissioner of labor and industry, * * * [1913 P L 396 s 7]

Duties and powers of commissioner of labor and industry.—The commissioner of labor and industry shall, from time to time, divide the State into districts; and shall assign to such districts such inspectors and supervising inspector as may, in his judgment, appear expedient; and shall, from time to time, assign and transfer such inspectors from one district to any other district, or to special duty in any bureau of the said department; and may assign an inspector to inspect any special class of factories or establishments, and may assign one or more of them to act as clerks in any office of the department. The commissioner of labor and industry shall visit and inspect, or cause to be visited and inspected, during reasonable hours and as often as practicable, every room, building, or place, where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth or of this act, and shall cause to be enforced therein the provisions of all such existing laws and of this act, and the rules and regulations of the industrial board hereinafter provided for. The commissioner of labor and industry and all inspectors may, in the discharge of their duties, enter any such place, building, or room, whenever they have reasonable cause to believe that any such labor is being or will be performed therein. [1913 P L 396 s 8]

Powers of the industrial board.— * * * For carrying into effect * * * the provisions of all the laws of this Commonwealth, the enforcement of which is now or shall hereafter be entrusted to or imposed upon the commissioner or department of labor and industry, the industrial board shall have power to make, alter, amend, and repeal general rules and regulations necessary for applying such provisions to specific conditions, and to prescribe means, methods, and practices to carry into effect and enforce such provisions. [1913 P L 396 s 14]

Regulations of industrial board.—The rules and regulations of the industrial board, and the amendments and alterations thereof, may embrace all matters and subjects to which power and authority of the department of labor and industry extends, and shall be distributed to all applicants. * * * [1913 P L 396 s 15]

Violation of act, hindering inspectors, etc.—Every person who violates any of the provisions of this act, or any of the rules or regulations of the industrial board, or who resists or interferes with any officer or agent of the department of labor and industry in the performance of his duties in accordance with the said rules and regulations, shall be deemed guilty of a misdemeanor; and shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars ($100.00), or by imprisonment not exceeding one month, or both, at the discretion of the court. [1913 P L 396 s 16]

Duties and powers of factory inspectors transferred to department of labor and industry.—All of the powers and duties now by law vested in and imposed upon the department of factory inspection, which is hereby abolished, are now hereby vested in the department of labor and industry. [1913 P L 396 s 23]

ANY GAINFUL OCCUPATION

APPLICATION OF ACT

Definitions.—The term "establishment," when used in this act, shall mean any place within this Commonwealth where work is done for compensation of any sort, to whomever payable: *Provided*, That this act shall not apply to work in private homes and farming. The term "person," when used in this act, shall be construed to include any individual, partnership, or other unincorporated association, corporation, and municipality. The term "week," when used in this act, shall mean any seven consecutive days, and the term "day" shall mean any twenty-four consecutive hours. [1913 P L 1024 s 1]

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Additional definitions.—Whenever in this act the singular is used the plural shall be included, and whenever the masculine gender is used the feminine and neuter shall be included. [1913 P L 1024 s 2]

HOURS OF LABOR FOR GIRLS

Ten hours a day, 54 a week, 6 days a week; fruit and vegetable canneries excepted; other exceptions.—(a) No female shall be employed or permitted to work in, or in connection with, any establishment for more than six days in any one week or more than fifty-four hours in any one week, or more than ten hours in any one day: *Provided*, That during weeks in which a legal holiday occurs and is observed by an establishment, any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act; but no female shall be permitted to work more than two hours overtime during any one of such three days, nor more than the maximum hours per week specified in this act. The employment of such persons at any other time than as stated herein shall be deemed a violation of the provisions of this section, unless it appears that such employment was to make up time lost in the same week in consequence of the alteration, repairs or accidents to machinery or plant, upon which she was employed and dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be legal unless a written report of the same is sent to the commissioner of labor and industry; but no female shall be permitted to work more than two hours overtime during any one day, nor more than the maximum number of hours per week specified in this act: *Provided*, That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products: *And provided further*, That the one day of holiday in seven may be subdivided into two days of twelve hours each, for women employees in hotels, boarding-houses, and in charitable, educational and religious institutions, at the discretion of the industrial board of the department of labor and industry: *Provided*, That if it should be hereinafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is, for any reason, invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

(b) Whenever any female shall be employed or permitted to work in, or in connection with, more than one establishment in any one week or in any one day, the aggregate number of hours during which she shall be employed or permitted to work in, or in connection with, such establishment shall not exceed the number of hours prescribed in this section for such females in any one week or any one day.

(c) The provisions of this section shall not apply to the work of nurses in hospitals. [1913 P L 1024 s 3 as amended by 1915 P L 709]

Court decision.—A former act on the above subject was held constitutional.—Commonwealth v. Beatty, 15 Pa. Super. Ct. 5 (1900).

Opinion.—Female employees can not work 12 hours on Saturday, or any other day, except on a day which follows a holiday, and except also that by working 12 hours on a day following a holiday such employees shall not exceed the maximum of 54 hours per week, without violating the provisions of the law.—Attorney General (1913).

Night work prohibited in manufacturing establishments; exceptions.—No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning, or after the hour of ten o'clock in the evening, of any day: *Provided*, That this section shall not apply to managers, superintendents, or persons doing clerical or stenographic work. [1913 P L 1024 s 4]

Night work prohibited under 21; telephone operators over 18 excepted.—No female under twenty-one years of age shall be employed or permitted to work in, or in connection with, any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day: *Provided*, That this section shall not apply to females over the age of eighteen years employed as telephone operators. [1913 P L 1024 s 5]

Time for midday meal required.—Not less than forty-five minutes shall be allowed to every female employed or permitted to work in, or in connection with, any establishment, for the midday meal, which period shall not be considered a part of the hours of labor: *Provided*, That whenever any female shall be employed or permitted to work in, or in connection with, any establishment for less than eight hours in any one day, the time allowed for the midday meal may be reduced to not less than thirty minutes. Employees shall not be required to remain in the workrooms during the time allowed for meals. [1913 P L 1024 s 6]

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Period of rest after 6 hours' work.—No female shall be employed or permitted to work for more than six hours continuously in, or in connection with, any establishment, without an interval of at least forty-five minutes, and no period of less than forty-five minutes shall be deemed to interrupt a continuous period of work: *Provided*, That whenever any female shall be employed or permitted to work in, or in connection with, any establishment for less than eight hours in any one day, the interval between work periods may be reduced to not less than thirty minutes. Employees shall not be required to remain in the workrooms during the rest periods required by this section. [1913 P L 1024 s 7]

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person employing or permitting females to work in any establishment shall provide suitable seats for their use in the rooms where they shall work, and shall maintain and keep them there, and shall permit the reasonable use thereof by such females. At least one seat shall be provided for every three females employed or permitted to work, and all seats shall during work hours be conveniently accessible to the workers for whose use they shall be provided. [1913 P L 1024 s 8]

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets, dressing rooms, etc., for the sexes.—Every person employing or permitting females to work in any establishment shall provide suitable wash and dressing-rooms and water-closets, or privies, for their use, so located as to be accessible to such females. In any establishment in which males and females shall be employed or permitted to work, separate wash and dressing-rooms and water-closets, or privies, shall be provided for each sex; and such wash- and dressing-rooms and water-closets, or privies, for each sex, shall be entirely separate from those provided for the other sex. The water-closets or privies provided for females shall be in the ratio of one for every twenty-five females employed or permitted to work. All water-closets or privies shall be properly lighted, and shall be separated from the rooms in which employees shall be permitted to work by partitions extending from floor to ceiling, and the compartments containing such water-closets or privies shall have sufficient direct outside ventilation, by window or other means. The entrances to the water-closets or privies shall be screened from the rooms in which employees work, and from the entrances to the water-closets or privies provided for the other sex, by screens or partitions at least six feet high. All water-closets or privies shall at all times be kept clean, sanitary, and free from all obscene writing or marking. [1913 P L 1024 s 9]

HEALTH OF GIRLS

Separate rest rooms where dangerous substances are used.—Any person employing or permitting any female to work in any establishment where white lead, arsenic or other poisonous substances, or injurious fumes, dust or gases, shall be present, shall provide and maintain a suitable room, free from the aforesaid substances, fumes, dust and gases, for the use of said female employees; and no such person shall, during the time allowed for meals, permit any such female to remain in any room where the aforesaid substances, fumes, dust, and gases shall be present. [1913 P L 1024 s 10]

Ventilation where poisonous gases are created.—Any person who shall employ or permit any female to work in any establishment in which poisonous or injurious dust, fumes, or gases shall be created by the machinery or material in process of manufacture, shall provide proper hoods and pipes connected with exhaust-fans of sufficient capacity to remove such dust, fumes, or gases at their point of origin, and prevent them from mingling with the air in the room, and such fans shall be kept running constantly while such dust, fumes, or gases shall be generated. [1913 P L 1024 s 11]

Pure drinking water required.—Any person employing any female in any establishment shall make reasonable efforts to at all times provide a sufficient supply of clean and pure drinking water. Such water shall be supplied through proper pipe connections with water mains which furnish water for domestic purposes, or from a spring or well, or body of pure water. If drinking water be placed in receptacles in the establishment, such receptacles shall be properly covered to prevent contamination, and shall at all times be kept thoroughly clean: *Provided*, That no employer in any establishment shall collect from any such female employee any money for ice furnished in his establishment for drinking purposes, for the use of the employees. [1913 P L 1024 s 12]

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ENFORCEMENT

Hours of labor and abstract of act to be posted.—Every person employing or permitting any female to work in any establishment shall keep posted, in a conspicuous place in the room where such female shall be employed or permitted to work, a printed abstract of the provisions of this act, and a schedule of the hours of labor of such female: *Provided*, That when any female shall be employed or permitted to work in more than one room in any establishment, the aforesaid abstract and schedule shall be required in only one of the said rooms. If any female shall be employed or permitted to work in connection with any establishment, but not in such establishment, the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment. The schedule of hours of labor herein required shall contain the name of the female employed or permitted to work, the maximum number of hours such female shall be required or permitted to work on each day of the week, with the total for the week, the hours of commencing and stopping work, and the hours when the time allowed for meals shall begin and end for each day of the week. Such female may begin work after the time for beginning, and stop before the time for ending work, stated in such schedule; but she shall not otherwise be employed or permitted to work in, or in connection with, any establishment, except as stated in such schedule. The commissioner of labor and industry shall prepare the abstract of the provisions of this act, and a form for the schedule of hours of labor required by this section. Copies of such abstract and such form shall be printed, in accordance with the laws of this Commonwealth regulating printing and publishing, under the supervision of the superintendent of public printing and binding, and the commissioner of labor and industry shall supply the same, upon application, to all persons required to post the abstract and schedule aforesaid. [1913 P L 1024 s 13]

HOURS OF LABOR FOR GIRLS

Proof of age may be required for girls under 21 performing night work; evidence of illegal employment.—Whenever any female shall be employed or permitted to work in, or in connection with, any establishment, before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day, who, in the judgment of the commissioner of labor and industry or his deputy, is under twenty-one years of age, such officer may demand from any person employing or permitting any such female to work in, or in connection with, his establishment, that such person shall either furnish to such officer within ten days satisfactory evidence, such as shall be required by law for the issuing of employment certificates to minors, that such female is, in fact, twenty-one years of age or over, or shall cease to employ or permit such female to work in, or in connection with, such establishment, before or after the hours above named. In case such employer shall fail to furnish to said officer, within ten days after making such written demand, the required evidence of age, and shall thereafter continue to employ such female, or permit her to work in, or in connection with, such establishment, before or after the hours aforesaid, proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such female, in any prosecution brought therefor. [1913 P L 1024 s 14]

ENFORCEMENT

Hindering inspector, etc., prohibited.—No person shall hinder or delay the commissioner of labor and industry or any of his deputies in the performance of his duties in the enforcement of this act, or refuse to admit, or lock out, any inspector from any place while females are employed therein, and which said inspector shall be authorized to inspect, or refuse to give any inspector information required for the proper enforcement of this act. [1913 P L 1024 s 15]

Duties and powers of commissioner of labor and industry, etc.—It shall be the duty of the commissioner of labor and industry and his deputies to enforce all the provisions of this act. They shall visit and inspect establishments, and shall have power at any reasonable time to visit and inspect any establishment in or in connection with which any female shall be employed or permitted to work. They shall investigate all complaints of violations of this act received by them, and shall institute prosecutions for violations of the provisions thereof. [1913 P L 1024 s 16]

Prosecutions.—All prosecutions for violations of this act shall be instituted by the commissioner of labor and industry or his deputy, before a magistrate, alderman, or justice of the peace, who shall issue a summons commanding the person charged with

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a violation of the act to appear within not less than five nor more than eight days. Upon a conviction after hearing, the penalties provided in this act shall be imposed, and shall be final, unless an appeal be taken to the court of proper jurisdiction, within twenty days after the imposition of the penalties aforesaid, in the manner already provided by law in appeals from penalties. [1913 P L 1024 s 17]

PENALTIES

Violation of act, etc.—Any person who, whether by himself or for another, or through an agent, servant, or foreman, shall violate any provision of this act, shall be guilty of a misdemeanor. Upon conviction for a violation of any provision of sections three, four, five, six, or seven of this act, he shall be punished, for a first offense, by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars; for a second or subsequent offense, by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars, or by imprisonment for not more than sixty days, or by both, at the discretion of the court; and whenever any person shall have been notified by the commissioner of labor and industry or his deputy, or by the service of a summons in a prosecution, that he is violating such provision, he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification. Upon conviction for a violation of any of the provisions of sections eight, nine, ten, eleven, twelve, thirteen, fourteen, or fifteen of this act, the punishment shall be, without regard to the number of females employed, for a first offense, not less than twenty-five ($25) dollars or more than fifty ($50) dollars; for a second or subsequent offense, a fine of not less than fifty ($50) dollars or more than two hundred ($200) dollars, or imprisonment for not more than sixty days, or both at the discretion of the court, and whenever any person shall have been notified by the commissioner of labor and industry or his deputy that he is violating such provisions, and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation, he shall be punished, in addition to the penalties aforesaid, by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the commissioner of labor and industry or his deputy for remedying the aforesaid condition: *Provided*—

First. That any person who shall demand evidence, such as shall be required by law for the issuing of employment certificates to minors, that any applicant for employment or permission to work in, or in connection with, his establishment, is twenty-one years of age, and shall receive the same before employing or permitting such applicant to work, and who shall have kept the same on file, and, in the case of such applicant, shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age, shall not be liable to punishment for the violation of section five of this act, though it shall subsequently appear that such applicant was in fact less than twenty-one years of age: *Provided*, That this provision shall not apply to any person who shall demand and receive the evidence herein provided for, if he knows at the time of receiving such evidence that the applicant is, in fact, less than twenty-one years of age; nor shall this provision prevent the punishment of any person for violating section five of this act after knowledge of the true age of the female employed.

Second. That whenever a violation of any provision of this act shall also be a violation of another provision, or other provisions, of this act, penalties may be imposed for the violation of each and every such provision.

Third. That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act.

Fourth. That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of minors, penalties shall be imposed under only one of such acts. [1913 P L 1024 s 18]

REGULATED OCCUPATIONS

APPLICATION OF ACT

Definitions; act not to apply to children employed on farms or in domestic service.—Wherever the term "establishment" is used in this act, it shall mean any place within this Commonwealth where work is done for compensation of any kind, to whomever payable: *Provided*, That this act shall not apply to children employed on the farm, or in domestic service in private homes. The term "person," when used

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in this act, shall be construed to include any individual, firm, partnership, unincorporated association, corporation, or municipality. The term "week", when used in this act, shall mean any consecutive seven days. The term "minor," when used in this act, shall mean any person under twenty-one years of age. Wherever the singular is used in this act the plural shall be included, and wherever the masculine gender is used the feminine and neuter shall be included. [1915 P L 286 s 1]

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 14 prohibited.—No minor under fourteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation. [1915 P L 286 s 2]

Court decision.—A former section on the above subject was held constitutional.—Lenahan v. Pittston Coal Mine Co., 218 Pa. 311, 67 Atl. 642 (1907).

EDUCATIONAL REQUIREMENTS

School attendance required for employed children from 14 to 16; exception.—It shall be unlawful for any person to employ any minor between fourteen and sixteen years of age, unless such minor shall, during the period of such employment, attend, for a period or periods, equivalent to not less than eight hours each week, a school approved by the State superintendent of public instruction. The school aforesaid may be conducted in the establishment where said minor is employed, or in a public school building, or in such other place, either in the district in which said minor is employed or in any joint school * * * [authorized by law], as the board of school directors of the school district in which said minor is employed may designate: *Provided however*, That such school shall be within reasonable access to said place of employment. Any school aforesaid shall be part of the public school system of the school district wherein said minor is employed, or of the school district or districts where said minor attends. The school hours shall not be on Saturday; nor before eight o'clock in the morning, nor after five o'clock in the afternoon, of any other day. Every person who shall employ any said minor shall notify the officer by whom the employment certificate, as hereinafter provided for the said minor, shall have been issued, within four days after said minor shall have entered his employment, of the name and location of the school at which said minor should be in attendance, and of the hours which said minor should attend said school during the continuance of said employment: *Provided*, That this section shall not be effective in any school district until there has been established, within said school district in which said minor is employed, or within reasonable access to said place of employment in an adjoining district, such a school. [1915 P L 286 s 3]

HOURS OF LABOR

Nine hours a day, 51 a week, and night prohibited, under 16.—No minor under sixteen years of age shall be permitted to work in, about, or in connection with any establishment, or in any occupation, for more than fifty-one hours in any one week, or more than nine hours in any one day, or before six o'clock in the morning, or after eight o'clock in the evening, of any day. In computing the maximum number of hours per day or per week permitted under this act, the hours spent in school by said minors shall be considered as a part of the working day or working week. [1915 P L 286 s 4]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, bowling alleys, places where tobacco is manufactured, certain dangerous processes, mines, places where alcoholic liquors are manufactured, etc.; cleaning machinery in motion, employment on railroads, certain dangerous processes, etc., prohibited under 18; employment in saloons, etc., prohibited under 21; employment under 18 may be prohibited by department of labor in other occupations; validity of act.—No minor under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines,

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which, for the purposes of this act, are considered dangerous: Paper-lace machines, job or cylinder printing-presses operated by power other than foot-power; stamping machines used in sheet metal and tinware or in paper or leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corrugating rolls, such as are used in making corrugated paper, or in roofing or washboard factories; dough-breaks, or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling-mill machinery; power punches or shears; washing or grinding or mixing machinery; calender-rolls in paper and rubber manufacturing, or other heavy rolls driven by power; laundering machinery; upon or in connection with any dangerous electrical machinery or appliances. Nor shall any minor under sixteen years of age be employed or permitted to work, in any capacity, in adjusting or assisting in adjusting any belt to any machinery, or in proximity to any hazardous or unguarded belts, machinery, or gearing, while the same is in motion; nor on scaffolding; nor in heavy work in the building trades; nor in stripping, assorting, or manufacturing tobacco; nor in any tunnel; nor in a public bowling-alley; nor in a pool-or billiard-room; nor in the manufacture of paints, colors, or white-lead; nor in any capacity in preparing compositions in which dangerous leads or acids are used; nor in the manufacture or use of dangerous or poisonous dyes; nor upon any railroad, steam, electric or otherwise; nor upon any boat engaged in the transportation of passengers or merchandise; nor in operating motor-vehicles of any description; nor in any anthracite or bituminous coal-mine, or in any other mine; nor about blast furnaces; nor in or about any distillery, brewery, or any establishment where alcoholic liquors are manufactured or bottled.

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines, in oiling or cleaning machinery, in motion; in the operation or use of any polishing—or buffing-wheel; at switch-tending, at gate-tending, at track-repairing; as a brakeman, fireman, engineer, or motorman or conductor, upon a railroad or railway; as a pilot, fireman, or engineer upon any boat or vessel; in or about establishments wherein gun-powder, nitro-glycerine, dynamite, or other high or dangerous explosive, is manufactured or compounded; as a chauffer of an automobile or an aeroplane.

No minor shall be employed or permitted to work in, or in connection with, any saloon or bar-room where alcoholic liquors are sold.

In addition to the foregoing, it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any other occupation dangerous to the life or limb, or injurious to the health or morals, of the said minor, as such occupations shall, from time to time, after public hearing thereon, be determined and declared by the industrial board of the department of labor and industry: *Provided*, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section. [1915 P L 286 s 5]

Court decision.—A former section prohibiting the employment of children under 15 to oil the machinery in anthracite coal mines was held constitutional. It was held that an employer violating the statute could not set up contributory negligence as a defense in a suit for damages for injury, nor did the child assume the risk of its employment.—Lenahan *v.* Pittston Coal Mining Co., 67 Atl. Rep. 642 (1907).

MESSENGERS

HOURS OF LABOR

Night work prohibited under 21.—No minor shall be permited to work as messenger for a telephone, telegraph, or messenger company, in the distribution, collection, transmission, or delivery of goods or messages, before six o'clock in the morning or after eight o'clock in the evening of any day. [1915 P L 286 s 6]

STREET TRADES

MINIMUM AGE AND HOURS OF LABOR

Employment of boys under 12 and girls under 21 in selling newspapers, magazines, etc., prohibited; employment of boys under 14 and girls under 21 as bootblacks, scavengers, etc., prohibited; night work prohibited for boys under 16 and girls under 21.—No male minor under twelve years of age, and no female minor, shall distribute, sell, expose, or offer for sale any newspaper, magazine, periodical, or other publication, or any

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article of merchandise of any sort, in any street or public place. No male minor under fourteen years of age, and no female minor, shall be suffered, employed, or permitted to work at any time as a scavenger, bootblack, or in any other trade or occupation performed in any street or public place. No male minor under sixteen years of age, and no female minor, shall engage in any occupation mentioned in this section before six o'clock in the morning, or after eight o'clock in the evening, of any day. [1915 P L 286 s 7]

ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates required from 14 to 16.—Before any minor under sixteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with, any establishment, or in any occupation, the person employing such minor shall procure and keep on file, and accessable to any attendance officer, deputy factory inspector, or other authorized inspector or officer charged with the enforcement of this act, an employment certificate as hereinafter provided, issued for said minor. [1915 P L 286 s 8]

Court decision.—The employment of a child in a steel mill, without the certificate required by a former section on the above subject, was held to be actionable negligence and to render the employer liable for resulting injuries.—Klicke *v.* Allegheny Steel Co., 200 Fed. 933, 119 Cir. Ct. A. 317 (1913).

School authorities to issue certificates; to be sent to prospective employers.—Employment certificates shall be issued only by the following officials, for children residing within their respective public school districts: In public school districts having a district superintendent or supervising principal, by such superintendent or supervising principal; in school districts having no district superintendent or supervising principal, by the secretary of the board of school directors of that district: *Provided*, That any district superintendent, supervising principal, or secretary of the board of school directors, hereby authorized to issue such certificates, may authorize and deputize, in writing, any other school official to act in his stead for the purpose of issuing such certificates. All employment certificates shall be forwarded by mail, by the issuing officer, to the prospective employer of the minor for whom the employment certificate is issued. [1915 P L 286 s 9]

Method of issuing.—Application for the employment certificate must be made, in person, by the parent, guardian, or legal custodian of the minor for whom such employment certificate is requested; or, if said minor have no parent, guardian, or legal custodian, then by the next friend, who must be over twenty-one years of age; and no employment certificate shall be issued until the said minor has personally appeared before, and been examined by, the officer issuing the certificate. [1915 P L 286 s 10]

General and vacation certificates.—Employment certificates shall be of two classes,—general employment certificates and vacation employment certificates. General employment certificates shall entitle the minor, fourteen to sixteen years of age, to work during the entire year. Vacation employment certificates shall entitle the minor, fourteen to sixteen years of age, to work on any day, except on such days as such minor is required to attend school, under the provisions of the laws now in force or hereafter enacted. [1915 P L 286 s 11]

Age, school, and health records and promise of employment required for general employment certificates.—The official authorized to issue a general employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers, namely:—

a. A statement signed by the prospective employer, or by someone duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and per week which said minor will be employed;

b. A school record, as hereinafter provided;

c. A certificate of physical fitness, as hereinafter provided;

d. Proof of age as hereinafter provided.

[1915 P L 286 s 12]

Contents of school record.—For the issuance of a general employment certificate, the school record required by this act shall be filled out and signed by the principal of the school which the minor has last attended, or by some one duly authorized by him, and shall be furnished to any minor who may be entitled thereto. It shall certify that the said minor has completed a course of study equivalent to six yearly

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grades of the public school, in the English language, spelling, reading, arithmetic, geography, and history of the United States. Such school record shall also give the full name, date of birth, and residence of minor, and the name and residence of the parent, guardian, or custodian, as shown on the records of the school. [1915 P L 286 s 13]

Contents of health record.—The certificate of physical fitness required by this act shall be signed by a physician, approved by the board of school directors of the school district in which said minor resides, and shall state that the said minor has been thoroughly examined by the said physician at the time of the application for an employment certificate, and is physically qualified for the employment specified in the statement of the prospective employer. In any case where the said physician shall deem it advisable, he may issue a certificate of physical fitness for a limited time; at the expiration of which time the holder shall again appear, and submit to a new examination, before being permitted to continue at work. [1915 P L 286 s 14]

Evidence of age.—The evidence of age required by section twelve of this act shall consist of one of the following proofs of age, which shall be required in the order herein designated:

a. A duly attested transcript of the birth certificate, filed according to law with a register of vital statistics, or other officer charged with the duty of recording birth; or,

b. A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date of birth; or,

c. A passport showing the age of the immigrant; or,

d. In case none of the aforesaid proofs of age shall be obtainable, and only in such case, the issuing officer may accept, in lieu thereof, any other documentary record of age (other than a school record or an affidavit of age), or transcript thereof, duly certified, which shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age; or,

e. In case none of the aforesaid proofs of age shall be obtainable, and only in such cases, the issuing officer may accept, in lieu thereof, the signed statement of the physician, approved by the board of school directors, stating that, after examination, it is the opinion of such physician that the minor has attained the age required by law for the occupation in which he expects to engage. Such statement shall be accompanied by an affidavit, signed by the minor's parent, guardian, or custodian, or, in case he shall have no parent, guardian, or custodian, by his next friend, certifying to the name, date, and place of birth of the minor, and that the parent, guardian, custodian, or next friend, signing such statement, is unable to produce any of the proofs of age specified in the peceding subdivisions of this section. [1915 P L 286 s 15]

Court decisions.—Sections 5 and 6 of Pamphlet Laws 352 of the Acts of 1905[1], relative to requirements for the issuance of an employment certificate, were held to be unconstitutional as establishing an arbitrary and improper discrimination as to educational requirements between minors who were able to produce certificates of birth and those who were not.—Attorney General, court of quarter sessions, Philadelphia (1905) and Commonwealth *v.* Hoopes, 15 Pa. Dist. R. 894 (1906). This decision was in conformity with a similar decision upon the analogous provisions of Pamphlet Laws 344, Acts of 1905[1], which were held unconstitutional upon similar grounds.—Collett *v.* Scott, 30 Pa. Super. Ct. 430 (1906).

Age and health records and promise of employment required for vacation certificates.—The official authorized to issue a vacation employment certificate shall not issue such certificate until he shall have received and filed the following papers, duly executed, namely:—

a. A statement signed by the prospective employer, or by some one duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and per week which said minor will be employed;

b. A certificate of physical fitness, as provided in section fourteen of this act;

c. Evidence of age, showing that the said minor is fourteen years of age or upwards, which evidence of age shall be of similar character to the evidence heretofore specified in section fifteen of this act. [1915 P L 286 s 16]

Certificates to be returned to issuing office; new certificates.—It shall be the duty of every person who shall employ any minor under sixteen years of age to acknowledge, in writing, to the official issuing the same, the receipt of the employment certificate of said minor, within three days after the beginning of such employment. On ter-

[1] The sections in question are not quoted, as they are apparently superseded by Pamphlet Laws 286, Acts of 1915.

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mination of the employment of a minor under sixteen years of age, the employment certificate issued for such minor shall be returned by mail, by the employer, to the official issuing the same, immediately upon demand of the minor for whom the certificate was issued, or, otherwise, within three days after termination of said employment. The official to whom said certificate is so returned shall file said certificate and preserve the same. Any minor whose employment certificate has been returned, as above provided, shall be entitled to a new employment certificate upon presentation of a statement from the prospective employer, as hereinabove provided, accompanied by a certificate of physical fitness, issued in the manner hereinabove provided and based upon a reexamination of said minor, and certifying that the minor is physically able to undertake the work for which the new employment certificate is to be issued. [1915 P L 286 s 17]

Blank certificates; contents of certificates; vacation certificates.—All employment certificates shall be issued on forms supplied by the State superintendent of public instruction, and shall contain the name and address of the prospective employer, and the nature of the occupation in which said minor is expected to engage; and no certificate shall be valid excepting in the hands of the employer so named, and for the occupations so designated; and shall state the name, sex, date, and place of birth, place of residence, color of hair and eyes, and any distinguishing physical characteristics of the minor for whom it shall be issued. It shall certify that the minor named has personally appeared before the issuing officer, and has been examined; and that all the papers required by law have been duly examined, approved and filed; and that all the conditions and requirements for issuing an employment certificate have been fulfilled. Every certificate shall be signed, in the presence of the issuing officer, by the minor for whom it shall be issued. The certificate shall bear a number, shall show the date of its issue, and shall be signed by the issuing officer. Vacation employment certificates shall be of a color different from the general employment certificates, and shall bear across their face the legend "vacation employment certificate." [1915 P L 286 s 18]

Return of school record to school authorities, etc., if certificate is refused.—Whenever a certificate shall be refused to any minor, the school record issued to such minor shall be forwarded, by the official refusing to issue the certificate, to the principal of the school which said minor shall attend, or to the compulsory attendance officer. [1915 P L 286 s 19]

Enforcement: appointment of attendance officers when necessary.—Whenever the State superintendent of public instruction cannot secure effective enforcement of the foregoing provisions of this act, in any school district, he is hereby authorized and required to report that fact to the State board of education. In such case the State board of education is authorized and required to secure such enforcement by appointing attendance officers in such districts. The salary and expenses of such attendance officers shall be a charge against said district where said attendance officers are actually employed, and shall be deducted from any State moneys apportioned to said district for school purposes. [1915 P L 286 s 20]

ANY GAINFUL OCCUPATION

HOURS OF LABOR AND LISTS

Copy of act relating to hours of labor and lists to be posted where minors under 16 are employed.—It shall be the duty of every person who shall employ any minor, under the age of sixteen years, to post and keep posted, in a conspicuous place in every establishment wherein said minor is employed, permitted or suffered to work, a printed copy of the sections of this act relating to the hours of labor, and a list or lists of all minors employed under the age of sixteen years. Such copies of the sections of this act and blanks for compliance with the provisions shall be prepared by the department of labor and industry, and be furnished by it on application of such employer. Every person employing minors under sixteen years of age shall furnish the employment certificates and lists, provided for in this act, for inspection, to attendance officers, factory inspectors, or other authorized inspectors or officers charged with the enforcement of this act. [1915 P L 286 s 21]

AGE EVIDENCE

Evidence of age may be required for children apparently under legal age; failure to produce proof of age evidence of illegal employment.—Whenever any minor shall be employed or permitted to work in any establishment or at any occupation, who, in the judgment of any officer charged with the enforcement of this act, is under the legal

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age for such work, or is working at a time forbidden by law for such minor; or whenever any minor shall be employed or permitted to work in, or in connection with, any establishment, who, in the judgment of any officer charged with the enforcement of this act, is under sixteen years of age, and for whom the person employing or permitting such minor to work shall not have on file an employment certificate; such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer, within ten days, evidence of age, as defined in section fifteen of this act, that such minor is in fact of legal age for the work in which he is engaged, or over, or sixteen years of age or over, as the case shall be, or shall cease to employ or permit such minor to work as aforesaid: *Provided*, That such person, by thus ceasing to employ or permit such minor to work, shall not be relieved from any of the fines or penalties provided in this act for the employment or work of a minor contrary to law. In case such person shall fail to furnish to said officer, within ten days after the making of such demand, the required evidence of age, and shall thereafter employ such minor or permit him to work as aforesaid, proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor, in any prosecution brought therefor. [1915 P L 286 s 22]

REGULATED OCCUPATIONS

PENALTIES

Violation of act, hindering enforcing officers, etc.—Any person, or any agent or manager for any person, who shall violate any of the provisions of this act, or who shall compel or permit any minor to violate any of the provisions of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine of not less than ten ($10.00) dollars nor more than two hundred ($200.00) dollars, or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court. [1915 P L 286 s 23]

ENFORCEMENT

Duties and powers of commissioner of labor, attendance officers, etc.—It shall be the duty of the commissioner of labor and industry, the attendance officers of the various school districts, and the police of the various cities, boroughs, and townships of this Commonwealth, to enforce the provisions of this act. Prosecutions for violations of this act may be instituted by any factory inspector, attendance officer, or police officer, upon oath or affirmation. All prosecutions for violations of this act shall be in the form of summary criminal procedings, instituted before a magistrate, alderman, or justice of the peace within the school district wherein the offense was committed. Upon conviction, after a hearing, the sentences provided in this act shall be imposed. All fines collected under this act shall be paid into the State treasury, for the use of the Commonwealth. [1915 P L 286 s 24]

Act in effect.—This act shall take effect on the first day of January, Anno Domini nineteen hundred and sixteen (1916). [1915 P L 286 s 26]

IMMORAL AND ILLEGAL OCCUPATIONS

MINIMUM AGE

Penalty; revocation of license.—The commission [commissioner of labor and industry] shall revoke any license issued under the provisions of this act, with or without a hearing, and may order such license to be returned for cancellation, if the employment agent has violated any provisions of this act or the rules and regulations issued thereunder, or if any cause appears on which a license might have been refused. [1915 P L 888 s 7]

Enforcement: powers of commissioner of labor and industry, etc.—For the purpose of enforcing this act and the rules and regulations issued thereunder, the commissioner or his duly authorized agent may enter any employment office, or place of business of any employment agent [person or corporation, etc., engaged in business of assisting employers to secure employees, and persons to secure employment], and inspect the registers, cards, or other records of such employment agent. In the performance of the duties herein required by law, the commissioner or his agents may, at any time,

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enter any premises. If permission so to enter shall be refused or delayed by any person, the commissioner or his agent may, on oath or affirmation, declare before any alderman, magistrate or justice of the peace that permission to enter and to investigate has been refused or delayed; whereupon such alderman, magistrate, or justice of the peace may, upon payment of a fee of one dollar, issue a search-warrant for such premises. Such search-warrant shall describe, as nearly as may be, the premises which it is desired to search or investigate. The commissioner or his agent, armed with such search-warrant, shall have all the authority of a constable or other peace officer in the execution of such warrant. It shall be unlawful for any person to refuse or delay admission to any premises to the commissioner or his agent provided with a search-warrant as herein authorized. [1915 P L 888 s 15]

Employment agencies forbidden to send girls to immoral places, etc.—No employment agent shall furnish any female for immoral purposes; or send, or cause to be sent, any female employee, to enter as servant, inmate, or for any purpose whatsoever, any place of bad repute, house of ill-fame, or assignation house, or any house or place of amusement kept for immoral purposes, the character of which such employment agent could have ascertained upon reasonable inquiry. * * * [1915 P L 888 s 16]

Employment agencies forbidden to furnish employment to certain children.—No employment agent shall furnish employment to any child, in violation of the laws regulating the labor of children or their compulsory attendance at school. [1915 P L 888 s 17]

Penalty.— * * * Any person, co-partnership, association, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment not exceeding one year, or both, at the discretion of the court; and, in addition thereto, such person, or each of the members of a co-partnership association, or each of the directors of the corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment in the jail in the proper county for a period of not exceeding one year, or both, at the discretion of the court. [1915 P L 888 s 21]

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PHILIPPINE ISLANDS

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DANGEROUS AND INJURIOUS OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 or of descendant under 12 in rope walking, gymnastics, etc., prohibited; penalty for employer, parent, etc.—The penalties of prisión correccional in its minimum and medium degrees and a fine of not less than one hundred and twenty-five and not more than one thousand two hundred and fifty pesetas * * * shall be imposed upon:

1. Any person who shall cause any boy or girl under sixteen years of age to perform any dangerous feat of balancing, of strength, or of contortion.

2. Any person who, being by profession an acrobat, gymnast, ropewalker, diver, animal tamer, bull fighter, circus manager, or other similar callings [sic], shall employ in any exhibition of this kind boys or girls under sixteen years of age who are not his children or descendants.

3. Any person engaged in any of the callings enumerated in the next preceding section who shall employ any child or descendant of his own under twelve years of age in such exhibitions.

4. Any ascendant, guardian, teacher, or person invested in any capacity with the care of a child under sixteen years of age, who shall deliver such child gratuitously to any person following any of the callings enumerated in paragraph two hereof, or to any habitual vagrant or beggar. If the delivery shall have been made in consideration of any price, compensation, or promise, the penalty prescribed shall be imposed in its maximum degree in every case. In either case, any guardian or curator convicted shall also be removed from his office of guardian or curator; or, in the case of the parents of the child, they may be deprived temporarily or perpetually, in the discretion of the trial court, of their parental authority.

5. Any person who shall induce any child under sixteen years of age to abandon the home of its ascendants, guardians, curators, or teachers to follow any person engaged in any of the callings mentioned in paragraph two hereof, or to accompany any habitual vagrant or beggar. [Penal Code 1911 article 489 page 117]

Other penalties.—The imposition of the penalties prescribed by the preceding articles shall always be understood as without prejudice to the imposition upon the same persons of any penalties corresponding to any felony or misdemeanor hereinbefore defined and punished by the Penal Code. [P C 1911 art 490 p 117]

ALL REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTY

Duties of the bureau of labor; penalty for hindering the director of labor, etc.—The purpose of this bureau [bureau of labor] shall be: (a) To see to the proper enforcement of all existing laws and those which shall be enacted hereafter with reference to labor and capital in the Philippine Islands, and to promote the enactment of all other legislation which shall tend to establish the material, social, intellectual, and moral improvement of workers. * * * (c) To inspect all shops, factories, railways, tramways, vessels, industrial and commercial establishments, and all other places or centers of labor, whether public or private, and to take the proper legal steps to prevent the exposure of the health or lives of laborers, and to aid and assist by all proper legal means laborers and workers in securing just compensation for their labor, and the indemnity prescribed by law for injuries resulting from accidents when engaged in the performance of their duties. * * * (f) Any person obstructing or resisting the director of labor or his deputies in their compliance with the duties prescribed in subsections * * * and (c) of this section, shall, upon conviction thereof, be pun-

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ished by a fine of not less than fifty pesos nor more than two hundred pesos for each offense. [1908 No 1868 s 2 as amended by 1913 No 2258 and by 1915 No 2449]

Powers of the director of labor, etc.—By and with the approval of the governor general, the director of labor or his deputies shall have power to administer oaths, to issue subpœnaes and subpœnaes duces tecum, and to receive and to take affidavits and the testimony of witnesses and experts, when making investigations authorized by this act. [1908 No 1868 s 3 as amended by 1913 No 2258]

Appointment and duties of director and assistant director of labor.—The bureau of labor shall have one chief and one assistant chief, who shall be appointed by the governor general, by and with the consent of the Philippine Commission, and who shall be known respectively as the director of labor and the assistant director of labor. The director of labor shall exercise the powers and perform the duties herein imposed upon the bureau of labor. The assistant director of labor shall perform the duties of the director of labor during the absence or disability of the latter and such other duties as may be required of him by the director of labor. * * * [1908 No 1868 s 4]

ALL OCCUPATIONS

CONTRACTS

Contracts with minors under 15, and of minors of 18 without consent of parent, etc., prohibited; enforcement: duties of director of labor.—All of the contracts made with laborers [by person or company in the contracting, enlisting, recruiting, or shipment of laborers] shall be supervised by the director of labor, whose duty it shall be to permit no contracting of minors under fifteen years, and minors of [sic] eighteen years without the written consent of their parents or guardians. [1915 No 2486 s 5]

Penalty.—Any violation of this act shall be punished by a fine of not to exceed two thousand pesos or by imprisonment for not more than two years, or by both fine and imprisonment in the discretion of the court. [1915 No 2486 s 6]

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PORTO RICO

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14; exceptions; enforcement: duties of municipal authorities; penalty.—(a) Pupils enrolled in the public schools of Porto Rico shall continue members of the public schools of Porto Rico until they shall have completed the work of each grade of the course of study prescribed at the time of such enrollment for the system of schools to which their respective schools belong, except when the parents or guardians show good and sufficient cause for withdrawal in the judgment of the supervising principal of schools of the municipality: *Provided*, Such pupils may be dismissed for cause by the supervising principal of the municipality or by the school board with the approval of the commissioner of education * * *.

(b) The attendance of pupils enrolled in the public schools of Porto Rico shall be prompt and regular * * *; and regular attendance is understood to mean attendance every day, unless the pupils be prevented from attending by sickness or other good and sufficient cause acceptable to the teacher and subject to the approval of the supervising principal.

(c) Children between eight and fourteen years of age shall be enrolled in any public school that may be located within a reasonable distance of their homes, and their attendance at that school shall be enforced as herein provided in the case of any pupil enrolled in the public schools: *Provided*, There be a school within a reasonable distance as hereinbefore mentioned where accommodation can be furnished: *And provided*, Such children may not already have completed each grade of the course of study prescribed for the particular school which meets the conditions outlined.

* * * * * * *

(f) Municipal authorities upon notification from the teacher or from the supervising principal of the municipality shall enforce the attendance of children between the ages of eight and fourteen years who reside within a reasonable distance of a public school and who are otherwise eligible for admission to the public schools of Porto Rico.

(g) Any parent or guardian willfully responsible for the violation of any of the provisions of this section after notification by the teacher of the school or by the supervising principal for the municipality in which he or she resides shall be deemed guilty of a misdemeanor and upon conviction in any court shall for the first offense be publicly reprimanded by the judicial officer before whom they [sic] are tried, and for the second offense shall be fined in an amount not to exceed five dollars, and for a third offense shall be fined in an amount not to exceed ten dollars * * *. [Revised Statutes and Codes 1911 section 635]

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RAILROADS[1]

HOURS OF LABOR

Period of rest after 12 hours' work for certain employees; exceptions.—It shall be unlawful for any corporation or receiver operating a line of railroad, as a public carrier, in whole or in part, in the island of Porto Rico, or any officer, agent or representative of such corporation or receiver to require or permit any conductor, engineer, fireman, brakeman, train dispatcher, telegraph operator, or any trainman who has worked in his respective capacity for twelve hours within a day of twenty-four hours, to again go on duty or perform any work for such railroad until he has had at least eight hours' rest: *Provided*, That this provision shall not apply in case of accident or casualty, or prevent train crews from taking a passenger train, or freight loaded exclusively with live stock or perishable freight to next nearest division point, upon such railroad: *Provided further*, That this section shall not apply to employees of sleeping cars. [R S and C 1911 s 1663]

Enforcement: duties of attorney general; penalty.—Any corporation or receiver operating a line of railroad, as a public carrier, in whole or in part, in this island, who shall violate any of the provisions of this act [s 1663–1664], shall be liable to the people of Porto Rico for a penalty of not less than one hundred dollars, nor more than five hundred dollars, at the discretion of the court, for each offense, and such penalties shall be recovered and suit therefor shall be brought in the name of the people of Porto Rico, in a court of proper jurisdiction in any district through which such railroad may run, by the attorney general of Porto Rico, or under his direction, or by the fiscal of said district. [R S and C 1911 s 1664]

DANGEROUS AND INJURIOUS OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 16 in acrobatic feats prohibited; penalty.—The exhibition of children of either sex, under sixteen years of age, in acrobatic feats endangering their lives, is hereby prohibited, and any person violating the provisions hereof shall be fined from five to fifteen dollars, or imprisonment [imprisoned] not to exceed thirty days for each offense. [R S and C 1911 s 1777]

MANUFACTURING ESTABLISHMENTS AND AGRICULTURAL FACTORIES

HOURS OF LABOR

More than six hours a day not to be compulsory under 16; penalty.—No child of either sex, under sixteen years shall be compelled to work in agricultural factories and manufacturing establishments over six hours per day, three in the morning and three in the afternoon. All persons who shall violate this provision shall be fined in a sum of from five to fifteen dollars, or imprisonment [imprisoned] not to exceed thirty days for each offense. [R S and C 1911 s 1780]

ALL OCCUPATIONS

HEALTH OF MINORS

Inhumane treatment to compel work under 16 prohibited; penalty.—No foreman, teacher or other person having under his charge the work, care or education of a minor under sixteen years of age, shall resort to inhumane treatment to compel such minor to work or to study. Any violation of the provisions hereof shall be punished with a fine of from five to fifteen dollars or imprisonment not to exceed thirty days for each offense. [R S and C 1911 s 1781]

WAGES, ETC.

Child living independently to have control of property, etc.—Property acquired by an unemancipated child by labor or industry, or for any valuable consideration, belongs to the said child, but the usufruct thereof belongs to the parents having potestas over him whilst he lives in their company; but if the child, with the consent of his

[1] See court decision on page 7 (New York).

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parents, lives independently, he shall be deemed emancipated for all effects as regards the said property, and he shall be the full owner and have the usufruct and administration thereof. [R S and C 1911 s 3295]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 12 in peddling, etc., prohibited; misdemeanor for parent, employer, etc.—Any person, whether as parent, relative, guardian, employer or otherwise, having in his care, custody, or control any child under the age of twelve years, who shall sell, apprentice, give away, let out, or otherwise dispose of any such child to any person, under any name, title, or pretense, for the vocation, use, occupation, calling, service of begging, or peddling, in any public street or highway, or in any mendicant or wandering business whatsoever, and any person who shall take, receive, hire, employ, use, or have in custody any child for such purposes, or either of them, is guilty of a misdemeanor. [R S and C 1911 s 5707]

Penalty.—Except in case where a different punishment is prescribed by this Code every offense declared to be a misdemeanor is punishable by imprisonment in jail not exceeding two years, or by a fine not exceeding two hundred and fifty dollars, or by both. [R S and C 1911 s 5422]

ANY GAINFUL OCCUPATION

HOURS OF LABOR FOR GIRLS

Eight hours a day, 48 a week, and night work prohibited; exceptions; compensation for overtime.—No woman shall be employed or permitted to work in any form of lucrative occupation between the hours of 10 p. m. and 6 a. m. nor more than eight (8) hours during any one calendar day, nor more than forty-eight (48) hours during any one week: *Provided however*, That the eight (8) hour limitation may be extended to not more than nine (9) hours during any one calendar day on condition that any woman so employed for wages for more than eight (8) hours during any one calendar day shall be paid for the work performed during such extra period at a rate double that paid during the preceding eight (8) hours of work, but in no case shall any woman be employed or permitted to work more than forty-eight (48) hours during any one week. This section shall not apply to women over sixteen (16) years of age who are employed as stenographers, typewriters, office assistants, telephone or telegraph operators or as nurses or domestics. [1913 No 42 s 1 as amended by 1913 Extraordinary Session No 139]

Hours to be posted.—All employers shall post in a conspicuous place in the room where women are employed or in the office of the plantation or estate where they work, a printed notice stating the number of hours of work required of said women during each day of the week, the hours of commencing and stopping work and the hour at which the period allotted for taking food begins and ends. The printed blanks for such notice shall be supplied by the bureau of labor to those persons who may apply for them. [1913 No 42 s 2]

SEATS FOR GIRLS

Seats to be provided and their use permitted; constant standing prohibited for girls under 16.—All employers who employ women in their establishments shall provide chairs of an appropriate kind, and shall place them conveniently where the female employees ordinarily work, or near such place. Said chairs shall be for the use of such employees who shall have free access to the same at all times except when they are occupied in any work that can not be done sitting. No woman under the age of sixteen years shall be employed in any establishment where she must stand constantly. [1913 No 42 s 3]

EMPLOYMENT CERTIFICATES

School certificates required under 14 for employment during school hours; educational requirements; department of education to issue certificates; exemptions on account of poverty; other exemptions; alcalde of municipality to issue exemption certificates; attendance at night school may be required; certificate to be returned to child.—No child under the age of fourteen (14) years who has not received from the department of education a certificate stating that he has done the work necessary for admission to the fourth grade of the public rural schools of the island, or showing that he has passed the sixth grade of the public graded schools of Porto Rico, according to whether the child lives in the country or in town, or that he has completed the equivalent of such school work, shall be employed in any lucrative occupation during the hours that such schools are open:

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Provided, That this section shall not comprise any child who resides in a community in which there are no schools within a reasonable distance wherein accommodation can be furnished, nor any orphan child or any child who for any other reason depends on his own efforts for support, nor any child whose parents are invalids and depend exclusively upon the work of the child for their maintenance. In such cases a certificate shall be obtained from the alcalde of the municipality wherein said child resides, which certificate shall state the fact that such condition or necessity exists, and authorize the employment of said child. A copy of this authorization shall be forwarded to the bureau of labor within the ten days following the issuance thereof: *Provided further*, That if said child resides at a distance of one kilometer from a night school under the direction of the department of education of Porto Rico, said certificate shall be effective only during the time that the attendance of said child at the aforesaid night school shall be certified to monthly by the teacher of the school, unless a just cause should exist for the nonattendance of the child at said school. All employers of children from whom certificates are required under the provisions of this act, shall file these certificates, subject to the inspection of the officers of the department of education and of the inspectors of the bureau of labor. When such employment shall cease the certificates shall be returned to the children in whose names they may have been issued. [1913 No 42 s 4 as amended by 1913 Extraordinary Session No 139]

MINIMUM AGE AND HOURS OF LABOR

Employment under 10 prohibited; 7 hours a day, 42 a week, and night work prohibited, under 16; 8 hours a day, 48 a week, on agricultural estates under 16.—No child under the age of sixteen years shall be employed or permitted to work in any establishment for more than seven hours a day, nor for more than forty-two hours a week, nor in or upon any agricultural estate for more than eight hours a day nor for more than forty-eight hours a week, nor in any lucrative occupation between the hours of 6 p. m. and 6 a. m. No child under the age of ten years shall be employed or permitted to work in any lucrative occupation. [1913 No 42 s 5 as amended by 1913 Extraordinary Session No 139]

EMPLOYMENT CERTIFICATES

Age certificates required under 16; municipal secretary to issue certificates; fees forbidden.—No child under the age of sixteen years shall be employed unless the employer shall obtain and preserve, subject to the inspection of the officers of the department of education and the agents of the bureau of labor, a certificate of his age issued by the municipal secretary of the town where the child was born or resides. In case there is no entry of the birth of the said child in the civil registry of the town where the child was born or resides, the municipal secretary shall issue a certificate setting forth the age of the child based upon an affidavit or sworn declaration of one of the parents of the said child, or of his legal guardian or relative next of kin, or in default of these upon the affidavit or sworn declaration of two reputable persons who have knowledge of and can depose to the age of the said child. No fees shall be charged for issuing the certificates. [1913 No 42 s 6 as amended by 1913 Extraordinary Session No 139]

STREET TRADES

MINIMUM AGE

Employment of boys under 12 and of girls under 16 during school hours prohibited.—No boy under the age of twelve years and no girl under the age of sixteen years shall sell newspapers, candies or other merchandise on any of the streets or public squares, nor work as bootblacks in said places during school hours in the public schools of Porto Rico. [1913 No 42 s 7]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 14 in selling alcoholic liquors, etc., prohibited.—No father, employer or other person who has in his care a child under the age of fourteen years shall procure for the said child or consent under any circumstances to the child's being engaged in the following occupations: 1. Begging or receiving alms or any form of mendicity. 2. Labor, practices or exhibitions which are dangerous or injurious to health and morals. 3. Manufacturing, using or selling of [sic] malt and alcoholic liquors. [1913 No 42 s 8 as amended by 1913 Extraordinary Session No 139]

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ALL ESTABLISHMENTS

HEALTH OF MINORS

Air and floor space where boys under 18 and girls of any age are employed.—Any room or department of any establishment where women and children under the age of eighteen years work, shall have such capacity that the space corresponding to each employee shall be not less than 250 cubic feet, and except in cases where written authorization is obtained from the chief of the bureau of labor, the capacity of air corresponding to each employee shall not be less than 400 cubic feet. [1913 No 42 s 9]

Ventilation where boys under 18 and girls of any age are employed.—All employers or heads of establishments where women and children under the age of eighteen years work, shall provide and see that there shall be in each working room of said establishment appropriate and sufficient means of ventilation. If during the hours of daily work excessive heat, vapors, gases, dust or other impurities injurious to health should be produced, the room shall be ventilated in such a manner as to place the same in the best condition possible, in accordance with the laws of sanitation. [1913 No 42 s 10]

Cleanliness where boys under 18 and girls of any age are employed.—All establishments where women and children under the age of eighteen years are engaged in occupations which produce dust, shall be whitewashed or painted at least once every twelve months. All the floors of the rooms of such establishments shall be washed perfectly with soap and water at least once every month; and all dressing rooms and water-closets of said establishments shall be conveniently washed not less than once each week. [1913 No 42 s 11]

REGULATED OCCUPATIONS

PENALTIES

Violation of act.—All employers who violate this act or any section or provision thereof shall be guilty of a misdemeanor and punished by a fine of not less than $25 nor more than $100. For every violation of this act or of any of the sections or provisions thereof after the first violation, the employer shall be guilty of a misdemeanor and punishable by a fine of not less than $100 nor more than $1,000. [1913 No 42 s 12]

DEFINITIONS

Terms used in this act.—The following definitions of the words and phrases used herein shall be accepted in connection with this act unless a different meaning is deduced from the text hereof: "Employer" includes all natural or artificial persons and the administrator, superintendent, foreman, mayor domo and representative of said natural or artificial persons. "Lucrative occupation" includes all work or works in factories, mills, centrals, machine shops or establishments or places of any kind where a factory or mechanical enterprise is carried on; in storehouses, stores, establishments or places of any kind where mercantile transactions are carried on, or estates, plantations, farms or places of any kind where agricultural [sic], horticultural [sic] or pasturing is carried on and in all enterprises of mining or fishing. "Establishment" includes all buildings, factories, workshops, stores or other places of a like kind where any lucrative occupation exists. "Plantation" includes all plantations, farms or other parcels of land where any lucrative occupation is carried on. [1913 No 42 s 13]

ENFORCEMENT

Duties and powers of bureau of labor.—The bureau of labor is hereby authorized to carry out the provisions of this act, to prosecute violations of the same, to summon witnesses, administer oaths and take testimony, to compel the introduction of evidence and to visit or examine through its chief or his assistants the buildings of any establishment or estate to which this act refers, during the hours when the employees are at work. [1913 No 42 s 14]

APPLICATION OF ACT

Agricultural or horticultural pursuits excepted from 10 to 16 under certain conditions.—The said act [1913 C 42 s 1–14] approved March 13, 1913, entitled "An act regulating the work of women and children, and protecting them against dangerous occupations," shall not apply to children under sixteen and over ten years of age who are employed in picking or gathering coffee or in planting, picking or tending in the field any agricultural or horticultural products in company with or under the direct personal supervision of their parents, guardians, or relatives over sixteen years of age. [1913 Extraordinary Session No 139 s 6]

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RHODE ISLAND

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EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 5 to 15, inclusive.—The school committee of each town or city, or some person or persons whom they shall appoint for the purpose, shall annually in the month of January take a census of all persons between the ages of five and fifteen years, inclusive, residing within the limits of their respective towns on the first day of said January * * *. [General Laws 1909 Chapter 66 section 15]

Blank forms, etc.; penalty for false information.—The blank forms required to carry out the requirements of the preceding section shall be furnished by the commissioner of public schools to each town on or before the first day of December in each year, and they shall call in substance for the following information, namely, the name, age, number of weeks attendance upon any school, parents' name and residence, of each person enumerated; and if any parent or guardian shall refuse to give the above information in regard to his children or wards, or shall knowingly and willfully falsify such information, he shall be fined not exceeding twenty dollars. [G L 1909 C 66 s 16]

COMPULSORY SCHOOL ATTENDANCE

Enforcement; school census returns.—The returns of said census shall be alphabetically arranged and deposited in the hands of the school committees of the several towns on or before the first day of March in each year * * *. [G L 1909 C 66 s 17]

Children from 7 to 15; exceptions from 14 to 15 if regularly and lawfully employed; other exceptions; penalty.—Every child who has completed seven years of life and has not completed fifteen years of life, unless he has completed in the public schools the elementary studies taught in the first eight years of school attendance, exclusive of kindergarten instruction, provided for in the course of study adopted by the school committee of the city or town wherein such child resides, or unless he shall have completed fourteen years of life and shall be lawfully employed at labor or at service or engaged in business, shall regularly attend some public day-school during all the days and hours that the public schools are in session in the city or town, wherein he resides; and every person having under his control a child as above described in this section, shall cause such child to attend school as required by the above-stated provisions of

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this section, and for every neglect of such duty the person having control of such child shall be fined not exceeding twenty dollars: *Provided*, That if the person so charged shall prove or shall present a certificate, made by or under the direction of the school committee of the city or town wherein he resides, setting forth that the child has already completed the elementary studies above mentioned; or that the child has attended for the required period of time a private day school, or upon private instruction, approved by the school committee of the city or town where said private school was located or said private instruction was given; or that the physical or mental condition of the child was such as to render his attendance at school inexpedient or impracticable; or that the child was destitute of clothing suitable for attending school and that the person having control of said child was unable to provide suitable clothing; or that the child was excluded from school by virtue of some general law or regulation—then such attendance shall not be obligatory nor shall such penalty be incurred; but nothing in this section shall be construed to allow the absence or irregular attendance of any child who is enrolled as a member of any school, or of any child sent to school by the person having control of such child. [G L 1909 C 72 s 1]

Appointment, duties, and powers of truant officers.—The school committee of each city or town shall annually in the month of December appoint one or more persons as truant officers, who shall by virtue of said appointment be clothed with the power of special constables, and fix their compensation, which shall be payable from the appropriation for public schools. The school committee may also furnish all necessary supplies and clerical assistance for the proper and efficient performance of the duties of the truant officer. The school committee of two or more cities or towns may appoint the same truant officer or officers, and any school committee that appoints teachers or other employees on a different tenure of office than annual appointments, may appoint truant officers on a similar tenure in lieu of the annual appointment above mentioned in this section and may fix their compensation from time to time. Said truant officers shall under the direction of the school committee inquire into all cases arising under the provisions of this chapter, and shall alone be authorized in case of violation of any of the provisions of this chapter, to make complaint therefor; they may also serve all legal processes issued in pursuance of this chapter * * *. [G L 1909 C 72 s 3]

ALL OCCUPATIONS

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Enforcement: duties and powers of truant officers; penalty for failure to produce certificates, etc.—The truant officers may visit any places or establishments where such minor children as are described in the preceding sections of this chapter are employed, to ascertain whether the provisions of this chapter are duly complied with, and may as often as twice in every year demand from all employers of such children a report containing the names of all children who have not completed sixteen years of life that are employed by them, such report to give the names, ages, and residences of all such children; and all employers of such children shall, upon request, produce for the inspection of the truant officer the certificates prescribed in chapter seventy-eight; and for any refusal to make such reports as are above provided for, or for any refusal to produce the above-mentioned certificates, any employer of such children shall be fined not exceeding ten dollars. [G L 1909 C 72 s 4]

MANUFACTURING AND BUSINESS ESTABLISHMENTS, ETC.

MINIMUM AGE, HOURS OF LABOR, AND EMPLOYMENT CERTIFICATES

Employment under 14 prohibited; night work prohibited under 16; age and employment certificates required from 14 to 16; school authorities to issue certificates; age and health records required; educational requirements; method of issuing and contents of certificates; revocation of certificates; evidence of age for child apparently under 16; evidence of illegal employment; certificate to be returned to child or issuing office; records of issuing office; penalties.—No child under fourteen years of age shall be employed or permitted or suffered to work in any factory, manufacturing or business establishment within this State, and no child under sixteen years of age shall be employed or permitted or suffered to work in any factory or manufacturing or business establishment within this State between the hours of eight o'clock in the afternoon of any day and six o'clock in the forenoon of the following day. No child under sixteen years of age shall be employed or permitted or suffered to work in any factory or manufacturing or busi-

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ness establishment unless said child shall present to the person or corporation employing him or her an age and employment certificate, given by or under the direction of the school committee of the city or town in which said child resides: such certificate shall state (a) the name of said child, (b) the date and place of birth of said child, (c) the height, color of eyes and hair, and complexion of said child, (d) the name and place of residence of the person having control of said child, and such certificate shall certify (1) that said child has completed fourteen years of age, (2) that said child is able to read at sight and write legibly simple sentences in the English language, and (3) that said child has been examined physically by a licensed physician, and that said physician has certified that said child is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed. The statements contained in such certificate in regard to the name, date and place of birth of said child, shall be substantiated by a duly attested copy of the birth certificate, baptismal certificate, or passport of such child. After the official authorized to issue the age and employment certificate above named has determined that the child applying for such certificate is fourteen years of age and can read and write as above required said official shall send such child to a physician for a physical examination: *Provided*, That the physical examination of any such child who resides in the city of Providence shall be made by either of the physicians appointed as hereinafter provided by the commissioner of public schools, and no age and employment certificate shall be issued to any child until the said physician shall certify in writing that said child, is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed. For making the physical examination and certifying as to the health, the physician, except those physicians appointed by the commissioner of public schools under this act, shall receive from the State the sum of $1.00. He shall render to the secretary of the State board of education his account, properly certified by the official authorized to issue the age and employment certificate required by this section. All such age and employment certificates issued shall be uniform throughout the State, and in the following form, or such substantially similar form as may be approved by the secretary of the State board of education:

AGE AND EMPLOYMENT CERTIFICATE.

This certifies that I am the (father, mother, guardian, or custodian) and have control of (name of child), whose signature appears below, and that (he or she) was born at (name of town or city), in the county of ....., and State (or country) of ....., on the (day of month) A. D., ..., and is now (number of years and months) old.

(Signature of child).

(Signature of person having control of said child and his or her residence).

(Town or city and date).

I hereby approve the foregoing certificate of (name of child); whose height is (feet and inches); eyes are (color); hair is (color), and complexion is (fair or dark).

I certify that said (name of child) is able to read at sight and write legibly simple sentences in the English language, and that I have reason to believe that said (name of child) has completed fourteen years of age, is of the age therein certified, and has been certified to according to law as in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between fourteen and sixteen years of age may be legally employed.

This certificate belongs to (name of child), and is to be surrendered to (him or her) whenever (he or she) leaves the service of the person or corporation holding the same: But if not claimed by said child within two weeks from such time it shall be returned to the school committee which issued it, or to such person as such committee shall designate.

(Signature of person authorized to approve and sign with official character and authority).

(Town or city and date).

In case it appears to the satisfaction of the school committee, or person authorized to give such certificate, that neither the birth certificate, baptismal certificate nor passport of such child can be produced, the age and employment certificate may be granted on other evidence satisfactory to the secretary of the State board of education.

All certificates required by this chapter relating to the qualification of children employed in any factory, or manufacturing or business establishment coming under the provisions of this chapter shall be kept by the employer at the place where such

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child is employed, and shall be shown to the factory inspectors provided for by this chapter, or either or any of them, on demand by said inspector or inspectors; and the proprietor or manager of any such factory or manufacturing or business establishment who shall fail to produce or shall refuse to show to any factory inspector any such certificate when demand is made therefor shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than ten nor more than fifty dollars. Whenever any factory inspector shall have reason to doubt the accuracy of any statement made in any such certificate concerning the age or other qualifications of any child employed thereunder, such inspector shall demand such certificate of the employer of such child, and upon receiving the same shall give such employer a receipt therefor. If after investigation such inspector shall find that such certificate should not have been issued to said child under the provisions of this law, then he shall deliver such certificate to the person who issued it, and shall order it to be canceled, and shall forthwith notify the said employer that such child must not be longer employed. Every employer or proprietor or manager of any factory or manufacturing or business establishment who shall continue to employ such child after receiving such notice from any factory inspector shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty imposed by section 12 of this chapter. Whenever any factory inspector shall have reason to doubt that any child employed in any factory or manufacturing or business establishment, and not provided with an age and employment certificate, has reached the age of sixteen years, such factory inspector shall make demand on such child's employer that such employer shall either furnish him within ten days a certificate of age issued by the same authority and based on the same evidence required for the issuance of age and employment certificates, or shall cease to employ such child or permit or suffer such child to work in such factory or manufacturing or business establishment. In case such employer shall fail to deliver such certificate to the factory inspector, within ten days after such demand, and shall thereafter continue to employ such child, or permit or suffer such child to work in such factory or manufacturing or business establishment, such employer shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalty imposed by section 12 of this chapter, and proof of the making of such demand and of failure to deliver such certificate shall be prima facie evidence, in any prosecution brought for a violation of this provision, that such child is under 16 years of age and is unlawfully employed. When any child employed under the provision of this section leaves his or her employment, the person or corporation by whom such child has been employed shall, on demand by said child, deliver to him or her the certificate on the authority of which such child has been employed, unless such certificate has been canceled as hereinbefore provided; or if such certificate is not demanded by such child, shall, within two weeks after said child has left the employment of said person or corporation, send said certificate to the school committee which issued it, or to such person as the school committee may designate. The school committee of each town, or such person as the school committee may designate to issue the certificate provided for in this section, shall keep on file a copy of each certificate granted, together with the evidence on which such certificate was granted: *Provided however*, That the commissioner of public schools is hereby authorized to appoint two physicians for the city of Providence who shall make the physical examinations in accordance with the provisions of this section. On the first day of May, 1915, said commissioner shall appoint said physicians for the term of three years and every third year thereafter said commissioner shall appoint two physicians for the term of three years to perform the duties required by this section. Any vacancy occurring during any such term shall be filled by appointment by said commissioner for the unexpired portion of such term. Said physicians shall examine all the children in said city between fourteen and sixteen years of age who shall apply for a physical examination in accordance with the provisions of this section. Said physicians shall each receive in full compensation for his services, the sum of seven hundred fifty dollars annually on vouchers approved by the commissioner of public schools. [G L 1909 C 78 s 1 as amended by 1915 C 1253]

Court decision.—Under a former section on the above subject it was held that no action will lie to recover a minor's wages earned while employed in violation of the statute.—Birkett *v.* Chatterton, 13 R. I. 299 (1883).

Application of act; agricultural pursuits and domestic service excepted; other exceptions.—Every person, firm, or corporation doing business within this State employing five or more persons, or employing any child under sixteen years of age, shall be subject to the provisions of this chapter, whatever shall be the business conducted by said

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person, firm, or corporation: *Provided however*, That the provisions of this chapter shall not apply to children employed in household service or in agricultural pursuits: *And provided further*, That said provisions shall not apply to the employment of children in the vocation, occupation, or service of rope or wire walking, or as gymnasts, wrestlers, contortionists, equestrian performers, or acrobats, riders upon bicycles or mechanical contrivances, or in any dancing, theatrical, or musical exhibition, but the employment of children in any vocation, occupation, or service enumerated in this proviso shall continue to be governed by the provisions of the General Laws, chapter one hundred thirty-nine. [G L 1909 C 78 s 2]

REGULATED OCCUPATIONS

ENFORCEMENT

Appointment, duties, and powers of factory inspectors.—The governor shall * * * appoint, with the advice and consent of the senate, one chief and four assistant factory inspectors, one of whom shall be a woman * * *. Said inspectors shall be empowered to visit and inspect, at all reasonable hours and as often as practicable, the factories, workshops, and other establishments in this State subject to the provisions of this chapter, and shall report to the general assembly of this State at its January session in each year, including in said reports the name of the factories, the number of such hands employed, and the number of hours of work performed in each week. It shall also be the duty of said inspectors to enforce the provisions of this chapter and prosecute all violations of the same before any court of competent jurisdiction in the State. The name and residence of any child found working without the certificate provided for in section one of this chapter shall be reported by the chief inspector to the school committee in the city or town where such child resides. Said inspectors shall devote their whole time and attention to the duties of their respective offices, under the direction of the chief inspector. * * * [G L 1909 C 78 s 3 as amended by 1910 C 576]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning machinery in motion prohibited under 16; exceptions.—No minor under sixteen years of age shall be allowed to clean machinery while in motion, unless the same is necessary and is approved by said inspectors as not dangerous. All belting and gearing shall be provided with proper safeguard[s]. [G L 1909 C 78 s 6]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

TOILETS, DRESSING ROOMS, AND SEATS FOR GIRLS

Seats to be provided and their use permitted; proper toilets and dressing rooms where women and children are employed.—Water-closets, earth closets or privies shall be provided in all places where women and children are employed, in such manner as shall, in the judgment of said inspectors, meet the demands of health and propriety. Separate dressing rooms for women and girls shall be provided in all establishments where such are deemed a necessity by said factory inspectors; and in every manufacturing, mechanical or mercantile establishment in which women and girls are employed, there shall be provided, conveniently located, seats for such women and girls, and they shall be permitted to use them when their duties do not require their standing. [G L 1909 C 78 s 8]

REGULATED OCCUPATIONS

PENALTIES

General penalty.—Any person or corporation who employs a child under sixteen years of age without the certificate required by section one of this chapter, or who makes a false statement in regard to any part [sic] required by such certificate or who violates any of the provisions of this chapter, or who suffers or permits any child or woman to be employed in violation of its provisions, shall be deemed guilty of a misdemeanor and, on conviction, shall be punished by a fine of not more than five hundred dollars: *Provided however*, That this section shall not apply to that portion of section

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one of this chapter which fixes the penalty for the refusal to show to the inspector any certificate provided for in that section. [G L 1909 C 78 s 12]

ENFORCEMENT

Act to be posted.—A printed copy of this chapter shall be posted by the inspectors in each workroom of every factory, manufacturing or mercantile establishment where persons are employed who are affected by the provisions of this chapter. [G L 1909 C 78 s 13]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR.

Enforcement: duties and powers of factory inspectors.—The factory inspectors shall, in addition to their duties otherwise provided, enforce the provisions of section twenty-two, chapter two hundred forty-nine and may prosecute all violations of the same before any court of competent jurisdiction in the State. [G L 1909 C 78 s 15]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 21.—No person under the age of twenty-one years shall be employed or permitted or suffered to work as a messenger for a telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [G L 1909 C 78 s 32 as added by 1912 C 814]

Penalty.—Any person who either as principal or agent shall employ, suffer or permit to work any person in violation of the provisions of the preceding section shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than twenty dollars, or [nor] more than fifty dollars for the first offense, and for a second offense by a fine of not less than fifty dollars, or [nor] more than one hundred dollars, or by imprisonment for not less than ten days, or [nor] more than six months, or by both such fine and imprisonment. [G L 1909 C 78 s 33 as added by 1912 C 814]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors to sell, etc., prohibited; exceptions; penalty.—Every person who * * * shall suffer or allow any minor or woman to sell or serve intoxicating liquor, except in licensed taverns or licensed victualing houses, shall be fined one hundred dollars and be imprisoned not less than ninety days nor more than one year, and shall be thereafter for the term of five years disqualified for holding any license under this chapter. [G L 1909 C 123 s 13]

Enforcement: duties of special constables.—The town councils of the several towns shall appoint special constables to enforce the laws of the State prohibiting, restraining or in any manner regulating the sale of intoxicating liquors. [G L 1909 C 123 s 15]

Additional penalty.—Whoever by himself, his agent, or servant * * * shall suffer or allow any minor or woman to sell or serve intoxicating liquor, except in licensed taverns or licensed victualing houses * * * shall forfeit one hundred dollars for each offense to be recovered by the husband of such woman or the parent or guardian of such minor in an action for debt. * * * [G L 1909 C 123 s 48]

ELEVATORS

MINIMUM AGE

Employment under 18 prohibited; enforcement: duties of building and factory inspectors; liability for damages; penalty.—* * * No person under the age of eighteen years shall take charge of or operate any passenger elevator. It shall be the duty of every inspector of buildings, elected or empowered under the provisions of this chapter, to inspect all elevators in every building within his jurisdiction; and it shall be the duty of the factory inspectors appointed or empowered by law to inspect all elevators in every building within their jurisdiction in any city or town where

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there is no inspector of buildings; and it shall be the duty of said inspectors of buildings and said factory inspectors to notify the lessee and owner, or some one of the owners, of every building in which an elevator shall be used or operated contrary to the provisions of this * * * section, of such violation and require the lessee or owner or some one of the owners of said building, within thirty days after the receipt of such notice, to comply with the provisions of said [section], and it shall be the duty of said lessee and owner, or owners, to comply with such requirement. The owner or owners of any building or premises under lease, and their servants and agents, may enter upon such leased building or premises for the public welfare, with the purpose of making said building comply with the provisions of this * * * section, and may remain thereon during such time as may reasonably be required for the performance of such work as may be necessary to effect said purpose, interfering with the lessee no more than may be necessary. In all cases in which any person shall suffer injury, or in which the death of any person shall ensue in consequence of the failure of the lessee or owner or owners of any building to comply with the provisions of this * * * section, or in consequence of the failure of said lessee or owner or owners to comply with the written notice and requirement of any inspector of buildings or factory inspector, when made in conformity to the provisions of this * * * section, such lessee and owner or owners shall be jointly and severally liable to any person so injured, in an action of trespass on the case, for damages for such injury; and in case of death such lessee and owner or owners shall be jointly and severally liable in damages for the injury caused by the death of such person, to be recovered by action of trespass on the case * * * which action, when the lessee and the owner are nonresidents, may be commenced by attachment. It shall be no defense to said action that the person injured, or whose death ensues as aforesaid, had knowledge that any elevator was being operated in said building contrary to the provisions of this * * * section, or that such person continued to ride in said elevator with said knowledge. The lessee or owner or owners of any building, or, in case such lessee or owner, or any of them, be non compos mentis or a minor, the guardian of any such lessee or owner, or in case such lessee or owner, or any of them, be a nonresident, the agent of any such lessee or owner, having charge of such property, who shall neglect or fail to comply with the provisions of this * * * section, shall be fined not less than five dollars and not more than ten dollars for each day that an elevator shall be used or operated in said building contrary to the provisions of this * * * section. In case there shall be several such lessees or owners or agents in charge of any building in which an elevator shall be used or operated contrary to the provisions of this * * * section, proceedings may be had against any or all of them jointly, or against any one of them, for the recovery of such fine. [G L 1909 C 129 s 16 as amended by 1910 C 549]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE AND PERMITS

Endangering life or health of child under 17 prohibited.—Whenever complaint shall be made in writing and on oath to any justice or clerk of a district court, that any child under the age of seventeen years * * * whose health and life are endangered by the occupation in which it is engaged, * * * such justice or clerk, if satisfied that there is reasonable cause for such complaint, shall by due process, directed to such officer or person as may be designated by him, cause such child to be produced before the district court of such district at a time and place designated. [G L 1909 C 139 s 1]

Employment under 16 in rope walking, dancing, theatrical exhibitions, etc., prohibited; exceptions; penalty for parent, etc.—Every person having the custody or control of any child under the age of sixteen years, who shall exhibit, use or employ, or shall in any manner or under any pretense sell, apprentice or give away, let out or otherwise dispose of any such child to any person for or in the vocation, occupation, service or purpose of rope or wire walking, or as a gymnast, wrestler, contortionist, equestrian performer, acrobat, or rider upon any bicycle or mechanical contrivance, or in any dancing, theatrical or musical exhibition unless it be in connection with churches, schools, or private instruction in dancing or music, or unless it be under the auspices of a Rhode Island society incorporated, or organized without incorporation, for a purpose authorized by section eleven of chapter two hundred twelve [religious, charitable, literary, social, musical, etc., purposes], or unless it be with the written consent, previously obtained and revocable at will, of the mayor of the city or the president of the town council where such child is to be employed; or for or in gathering or

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picking rags, or collecting cigar stumps, bones, or refuse from markets, or in begging, or in any mendicant or wandering occupation, or in peddling in places injurious to the morals of such child; * * * or in any illegal, obscene, indecent, or immoral purpose, exhibition or practice whatsoever; or for or in any business, exhibition or vocation injurious to the health or morals, or dangerous to the life or limb of such child, or who shall cause, procure or encourage any such child to engage therein, or who after being notified by an officer mentioned in section six of this chapter to restrain such child from engaging therein, shall neglect or refuse to do so, shall be held guilty of a misdemeanor and shall, for every such offense, be imprisoned not exceeding one year or be fined not exceeding two hundred fifty dollars, or be both fined and imprisoned as aforesaid, and shall forfeit any right which he may have to the custody of such child. [G L 1909 C 139 s 4]

Employment under 16 in rope walking, dancing, theatrical exhibitions, etc., prohibited; exceptions; penalty for employer, etc.—Every person who shall take, receive, hire or employ, exhibit, or have in custody, or who shall cause to be taken, hired or employed, exhibited, or held in custody, any child under the age of sixteen years, for any of the purposes prohibited in the preceding section, shall be held guilty of a misdemeanor, and shall be punished for every such offense in the manner provided in said section. [G L 1909 C 139 s 5]

Enforcement: powers of police officers, etc.—The town sergeant of any town, the chief of police of any city, or the general agent or agents of the Rhode Island Society for the Prevention of Cruelty to Children may enter any place where any child may be held, detained or employed in violation of this chapter, and without process of law seize and detain such child and hold him as a witness to testify upon the trial of any person charged with violating the provisions of this chapter * * *. [G L 1909 C 139 s 6]

STREET RAILWAYS

HOURS OF LABOR

Ten hours a day's work for certain employees; exceptions; compensation for overtime.—A day's work for all conductors, gripmen, and motormen now employed or who may hereafter be employed in the operation of all street railways, of whatever motive power, in this State shall not exceed ten hours' work, to be performed within twelve consecutive hours. No officer or agent of any corporation operating street cars, of whatever motive power, in this State shall on any day exact from any of its said employees more than the said ten hours' work within the twenty-four hours of the natural day, and within twelve consecutive hours: *Provided however*, That on all legal holidays, and on occasions when an unexpected contingency arises demanding more than the usual service by such street railway corporation to the public, or from such employees to the corporation, and in case of accident or unavoidable delay extra labor may be performed for extra compensation; and that nothing herein contained shall affect existing written contracts. [G L 1909 C 218 s 1]

Ten hours in absence of agreement for certain employees; longer hours permitted over 21.—The true intent and purpose of this chapter is hereby declared to be to limit the usual hours of labor of the above-mentioned employees of street railway corporations, in the absence of agreement as to such hours between such employees and their employer, to ten hours' actual work a day, to be performed within a period of twelve consecutive hours, whether such employees be employed by the trip or trips, the job, the hour, the day, the week, the month, or in any other manner. But nothing in this chapter contained shall be construed to forbid or prevent any such employee, being of the age of twenty-one years or upwards, from laboring a greater or lesser number of hours a day, in accordance with his contract so to do; nor to impose any penalty upon any person or corporation for permitting such employees to labor such greater or lesser number of hours in the performance of such contract. [G L 1909 C 218 s 2]

Penalty.—Any street railway corporation violating any of the provisions of the preceding sections of this chapter shall be fined not less than one hundred dollars nor more than five hundred dollars * * *. [G L 1909 C 218 s 3]

Court decision.—This act is constitutional.—In re Ten-Hour Law for Street Ry. Corporations, 24 R. I. 603, 54 Atl. 602 (1902).

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MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR

Ten hours in twenty-four, 54 a week, for boys under 16 and girls of any age; hours to be posted; application of act.—No minor under sixteen years of age, and no woman, shall be employed or permitted or suffered to work in any factory, manufacturing, mechanical, business or mercantile establishment within this State, more than fifty-four hours in any one week, and in no case shall the hours of labor exceed ten hours in any period of twenty-four consecutive hours. Every employer shall post in a conspicuous place, in every room where such persons are employed, a printed or typewritten notice stating the number of hours' work required of such persons on each day of the week, and the hours of commencing and stopping work and the employment of any such person for a longer time in a period of twenty-four consecutive hours than so stated, shall be deemed a violation of this section: *Provided*, That the provisions of this section shall not be construed to enlarge or impair any restriction placed upon the employment of any minor mentioned in chapter 72. [G L 1909 C 249 s 22 as amended by 1915 C 1218]

Penalty for parent, employer, etc.; evidence of age.—Every person who willfully employs or has in his employ or under his charge any person in violation of the provision of the last preceding section and every parent or guardian who permits any such minor to be so employed shall be fined not exceeding twenty dollars for each offense. The age and employment certificate required by section 1 of chapter 78 of the General Laws shall be prima facie evidence of his age upon the trial of any person other than the parent or guardian for the violation of the last preceding section. [G L 1909 C 249 s 23 as amended by 1913 C 912]

ALL OCCUPATIONS

WAGES

Wages of minor child of debtor.—The following goods and property shall be exempt from attachment on any warrant of distress or on any other writ, original, mesne, or judicial:

* * * * * * *

13. The salary and wages of the wife and of the minor children of any debtor. * * * [G L 1909 C 302 s 5]

STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 12 and girls under 16 prohibited.—No boy under twelve years of age and no girl under sixteen years of age shall, in any street or other public place in any city having a population of over 70,000 inhabitants, sell or offer for sale any newspaper, magazine, periodical, or any other article, or exercise the trade of bootblack or scavenger. [1915 C 1264 s 1]

PERMITS AND BADGES

Permit and badge required for boys under 16; truant officer to issue permit; badge to be worn conspicuously.—No boy under sixteen years of age shall, in any of the places mentioned or described in the preceding section, perform any act therein mentioned or described until a permit and a badge have been issued to him by the truant officer of the city where he resides; and no such boy shall in any of said places perform any of said acts except while wearing such badge in a conspicuous place on his clothing. [1915 C 1264 s 2]

Method of issuing; school record and physical competence for the work required; records of issuing office.—Said permit and badge shall be issued only upon the application of the parent, guardian, or other person having the custody of the boy desiring such permit and badge, or, in case such boy has no parent, guardian or custodian, then upon the application of his next friend, an adult. Such application must be accompanied by a written statement of the principal teacher of the school which the boy is attending, stating that such boy is an attendant at such school, that he is, in the opinion of such principal teacher, of the normal development of the average boy of

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his age and physically fit for such employment, and that said principal teacher approves the granting of such permit and badge to such boy. Said application and statement shall be placed on file with the officer mentioned in the preceding section. If satisfied with said application and written statement of said principal teacher, such officer shall forthwith issue to the applicant a permit and a badge at cost * * *. [1915 C 1264 s 3]

Contents of permit and badge; annual renewal of badge; nontransferable.—The permit shall be numbered, shall give a sufficient description to identify the boy, and shall give the date and place of birth of said boy, his name and address, and the name and address of his parents, guardian, custodian, or next friend, and shall state that the application and statement required by the preceding section have been duly filed and examined, and approved by the officer issuing the permit. The badge shall be of metal and shall bear the number of the permit and of the year for which it is issued. Said permit and badge shall be valid during one calender year only. All such badges shall be furnished by the State board of education, and all such badges issued in the same calender year shall be of the same color, shape and design. New badges shall be issued annually, and the color or shape of such badges shall be changed materially each year. No boy to whom a permit or badge has been issued shall give, sell, loan, or otherwise transfer such permit or badge to any person. [1915 C 1264 s 4]

HOURS OF LABOR

Employment under 16 prohibited during school hours or at night.—No boy under sixteen years of age shall, in any of the places mentioned or described in section 1 of this act, perform any of the acts therein mentioned or described after nine o'clock in the evening, before five o'clock in the morning, or, unless holding an employment certificate, during the hours when the public schools in the city or town in which such child resides are in session. [1915 C 1264 s 5]

PENALTIES AND ENFORCEMENT

Revocation of permit and badge; refusal to surrender permit, etc.—The permit and badge of any boy who shall give, loan, sell or otherwise transfer either his permit or badge, or who shall violate any of the provisions of this act, or who shall fail to comply with all of the legal requirements concerning school attendance, or to whom the posession of said permit and badge is, in the opinion of the principal teacher of the school which he attends or of the officer authorized to issue such permits, detrimental to his studies or well-being, may be revoked or suspended by such officer; and, upon such revocation or suspension, such boy shall forthwith surrender the permit and badge so revoked or suspended. The refusal of any such boy to rurrender [surrender] his permit and badge upon such revocation or suspension, or the performance by him of any of the acts mentioned or described in section 1 of this act, in any of the places therein mentioned or described, after notice of the revocation or suspension of such permit and badge shall be deemed a violation of this act. [1915 C 1264 s 6]

Duties of teachers.—The principal teacher of each school in which boys under sixteen years of age are pupils shall keep a complete list of all boys in his school to whom permits and badges as herein provided, have been issued, and, whenever in his opinion the posession of such permit and badge is detrimental to the studies or well-being of any such boy, shall report the same to the officer authorized to revoke the permit and badge of such boy. [1915 C 1264 s 7]

Duties of truant officers, probation officers, teachers, etc.—The officers authorized by section 2 of this act to issue permits and badges, probation officers, the principal teachers of all public schools and the police officers shall enforce this act. A complaint of a violation of any of the provisions of this act may be brought by any person: *Provided however*, That if the offender be a child then proceedings against such child shall be by petition to the juvenile court. [1915 C 1264 s 8]

Violation of act; child, parent, etc.—Any child who shall violate any of the provisions of this act shall be warned by an officer whose duty it is to enforce this act; and the parents, guardian, custodian, or next friend of such child shall also be warned by such officer. [1915 C 1264 s 9]

Violation by parent, etc.—Any person having control over such child as parent, guardian or otherwise, who permits or suffers such child to violate any of the provisions of this act shall, for each offence subsequent to the first offence, be fined not more than five dollars. [1915 C 1264 s 10]

Act in effect.—This act shall take effect January 1, 1916 * * *. [1915 C 1264 s 13]

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SOUTH CAROLINA

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COTTON AND WOOLEN MANUFACTURING ESTABLISHMENTS

HOURS OF LABOR

Ten hours or not to exceed 11 a day's work; 60 hours a week's work; exceptions; contract for longer hours void; penalty.—Ten hours a day, or sixty hours a week: *Provided, however*, That the hours of a single day shall not exceed eleven hours, except for the purposes of making up lost time as hereinafter provided, shall constitute the hours for working all operatives and employees in cotton and woolen manufacturing establishments engaged in the manufacture of yarns, cloth, hosiery and other products for merchandise, except mechanics, engineers, firemen, watchmen, teamsters, yard employees and clerical force. All contracts for longer hours of work other than herein provided in said manufacturing establishments shall be, and the same are hereby declared null and void; and any person entering into or enforcing such contracts shall be deemed guilty of a misdemeanor in each and every instance, and, on conviction in a court of competent jurisdiction, shall be fined a sum of money not less than $25 nor more than $100, or imprisonment [imprisoned] not exceeding thirty days: *Provided*, That nothing herein contained shall be construed as forbidding or preventing any such manufacturing company from making up lost time to the extent of sixty hours per annum, where such lost time has been caused by accident or other unavoidable cause. [1912 Criminal Code Chapter 16 section 421]

FACTORIES, MINES, AND TEXTILE ESTABLISHMENTS

MINIMUM AGE AND HOURS OF LABOR

Employment under 12 prohibited.—No child under the age of twelve years shall be employed in any factory, mine, or textile establishment of this State. [1912 Crim C C 16 s 422]

Night work prohibited under 16.—No child under the age of sixteen years shall be permitted to work between the hours of eight o'clock p. m. and six o'clock in the morning in any factory, mine or textile manufactory of this State: *Provided*, That children under the age of sixteen, whose employment is permissible under the provisions of this chapter, may be permitted to work after the hours of eight p. m. in order to make up lost time which has occurred from some temporary shutdown of the mill, on account of accident or breaking down in the machinery, which has caused loss of time: *Provided however*, That under no circumstances shall a child below the age of sixteen work later than the hour of nine p. m. [1912 Crim C C 16 s 423]

Penalty for employer, etc.—Any owner, superintendent, manager or overseer of any factory, mine or textile manufacturing establishment, or any other person thereof or connected therewith, who shall knowingly employ any child contrary to the provisions

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of this chapter, shall be guilty of a misdemeanor, and for every such offense shall, upon conviction thereof, be fined not less than ten dollars nor more than fifty dollars, or be imprisoned not longer than thirty days, at the discretion of the court. [1912 Crim C C 16 s 424]

Penalty for parent, etc.—Any parent, guardian or other person having under his or her control any child, who consents, suffers or permits the employment of his or her child or ward under the ages above provided, or who knowingly or willfully misrepresents the age of such child or ward to any of the persons named in section 424 of this chapter, in order to obtain employment for such child or ward, shall be deemed guilty of a misdemeanor, and for every such offense shall, upon conviction thereof, be fined not less than ten dollars nor more than fifty dollars, or be imprisoned not longer than thirty days, in the discretion of the court. [1912 Crim C C 16 s 425]

EMPLOYMENT CERTIFICATES

Permits required from 12 to 14; commissioner of agriculture, commerce, and industries to issue permits; age record required; penalty for false statement; commissioner to issue regulations governing employment of children.—In the employment of any child under the age of fourteen years in any factory, mine or textile manufacturing establishment, the owner or superintendent of such factory, mine or textile manufacturing establishment shall require of the parent, guardian or person standing in loco parentis of such child a sworn statement, made in duplicate, in which shall be recorded the name, birthplace, age and place of residence of every such child under fourteen years of age, the original of which statement shall be produced for inspection on the demand of [the] commissioner of agriculture, commerce and industries, or his agents or inspectors, and the duplicate of which shall be forwarded to the commissioner at his office at Columbia; the commissioner shall thereupon issue permit for employment. The commissioner shall prescribe and furnish forms under registered numbers for these statements and duplicates, and shall prescribe regulations for the keeping of proper records of the children employed in the State under the laws of the State; and any person knowingly furnishing a false statement of the age of such child or children, shall be guilty of a misdemeanor, and for every such offense shall, upon conviction, be fined not less than ten dollars nor more than fifty dollars, or be imprisoned not longer than thirty days, in the discretion of the court. The commissioner shall likewise prescribe proper forms and regulations for the employment of children provided for in any other act, making such forms and regulations compatible with those provided for in this section. [1912 Crim C C 16 s 426]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning certain machinery in motion prohibited under 14; penalty.—It shall be the duty of each corporation or other employer to place in one or more conspicuous places in each room of the factory in which any children under fourteen years of age are employed, a notice or notices to the effect that said children are forbidden to clean any gears, cams or pulleys, or to clean in dangerous proximity thereto, while the same are in motion by aid of steam, water, electricity or other mechanical power; and no such employer, or its officers, superintendents, overseers or agents shall knowingly or willfully permit or consent to such children so cleaning the said moving parts; and any officer, superintendent, overseer or agent violating the provisions of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars for each offense. [1912 Crim C C 16 s 427]

MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty; enforcement: duties and powers of commissioner of agriculture, commerce, and industries and factory inspectors; female inspectors.—It shall be the duty of all employers of females in any mercantile establishment, or any place where goods or wares or merchandise are offered for sale, to provide and maintain chairs or stools, or other suitable seats, for the use of such female employees, to the number of one seat for every three females employed, and to permit the use of such seats by such employees, at reasonable times, to such an extent as may be requisite for the preservation of their health. And such employees shall be permitted to use same, as above set forth, in front of the counter, table, desk, or

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any fixture when the female employee for the use of whom said seat shall be kept and maintained is principally engaged in front of said counter, table, desk or fixture; and behind such counter, table, desk or fixture when the female employee for the use of whom said seat shall be kept and maintained is principally engaged behind said counter, table, desk, or fixture. Any person who violates or omits to comply with any of the foregoing provisions of this section, or who suffers or permits any woman to stand, in violation of its provisions, shall be guilty of a misdemeanor, and, on conviction, shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars for each offense. The commissioner of agriculture, commerce and industries, and the State factory inspectors are hereby charged with the enforcement of the provisions of this law, and said commissioner is hereby empowered, from time to time whenever he may deem it necessary, to employ female inspectors for the purpose of collecting evidence. * * * [1912 Crim C C 16 s 429]

HOURS OF LABOR FOR GIRLS

Twelve hours a day, 60 a week, and night work prohibited; enforcement: duties and powers of commissioner of agriculture, commerce, and industries, factory inspectors, etc.; penalty.—The hours of labor of women in mercantile establishments in this State shall be limited to sixty hours per week, not to exceed twelve hours in any one day, and such females shall not be allowed to work later than the hour of ten o'clock p. m. The enforcement of this law is placed in the hands of the commissioner [of agriculture, commerce, and industries], or inspectors, or duly authorized agents of the commissioner. Any employer or employers of female labor in mercantile establishments who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than $10.00 nor more than $40.00, or imprisonment of not less than ten days nor exceeding thirty days. [1912 Crim C C 16 s 430 as amended by 1914 No 262]

STREET RAILWAYS

HOURS OF LABOR

Twelve hours a day for certain employees; exceptions in city of Columbia; other exceptions; penalty; compensation for overtime.—No incorporated horse railway company, electric railway company, or other street railway company, and no officer, agent or servant of such corporation, and no person or persons or firm or joint stock company owning or operating any line or lines of horse railways, electric railways or other street railways within the limits of this State, and no agent or servant of such firm, joint stock company, person or persons, shall require, permit or suffer its, his or their conductors, motormen, or drivers or other such employees, or any of them, in its, his, or their service, or under his, its or their control, to work more than twelve hours during each day or any day of twenty-four hours, and shall make no contract or agreement with such employees, or any of them, providing that they or he shall work for more than twelve hours during each day or any day of twenty-four hours. If any corporation, or any officer, agent or servant of such corporation, or any person or persons, or any firm or joint stock company, managing or conducting any horse railway, electric railway or other street railway in this State, or any agent or servant of such person or persons, firm or joint stock company, shall do any act in violation of the provisions of this section, it, he or they shall be deemed to have been guilty of a misdemeanor, and shall, on conviction thereof in a court of competent jurisdiction, be fined one hundred dollars for each offense so committed: *Provided however*, That in cases of accident or unavoidable delay extra labor may be permitted for extra compensation: *Provided*, The employees of the said corporations of the city of Columbia, if they so desire, may work more than twelve hours daily, conditioned that they receive extra compensation for all work done over eleven hours. [1912 Crim C C 16 s 431]

REGULATED OCCUPATIONS

ENFORCEMENT

Powers of commissioner of agriculture, commerce, and industries, etc.—The commissioner [of agriculture, commerce and industries], his agents and inspectors, may enter all buildings and parts thereof which are subject to the provisions of this article [s 851–874], * * * and may make investigations as to the employment of children and women. [1912 Civil C C 19 art 11 s 868]

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FACTORIES AND MERCANTILE AND OTHER ESTABLISHMENTS

TOILETS FOR GIRLS

Separate toilets for the sexes.—Every factory, mercantile or other establishment or office where two or more males and two or more females are employed together, shall be provided with a sufficient number of separate water-closets, earth closets or privies, for the use of each sex, and plainly so designated; and no person shall be allowed to use a closet or privy which is provided for persons of [the] other sex. Such water-closets, earth closets or privies, shall be kept clean and free from disagreeable odors. [1912 Civ C C 19 art 11 s 869]

Penalty.—Whoever violates the provisions of section 869 of the Civil Code, in reference to water-closets in factories, shall be punished by a fine of not less than ten ($10) dollars nor more than thirty ($30) dollars. [1912 Crim C C 16 s 428]

ALL OCCUPATIONS

AGE CERTIFICATES

Certificates required under 14.—Every person, firm or corporation employing children shall procure from the parent, guardian, or person in custody of said child or children, a signed statement in which shall be recorded the name, birthplace, age and place of residence of every such child under fourteen years of age, and the same shall be produced for inspection on demand of the commissioner or his agents or inspectors. [1912 Civ C C 19 art 11 s 871]

REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of inspectors.—The inspectors appointed under this article [s 851–874] [two inspectors to assist the commissioner in the discharge of the duties imposed by this article] are empowered to visit and inspect, at reasonable hours, and as often as practicable, the factories, workshops and other establishments in this State referred to in this article, and shall report to the commissioner [of agriculture, commerce and industries] the result of their inspections. They shall enforce the provisions of this article and prosecute all violations of the same. [1912 Civ C C 19 art 11 s 872]

ALL OCCUPATIONS

WAGES

Wages of minor belong to parent, etc.; exceptions.—If any person shall hire or employ any minor, or person under the age of twenty-one years, without the knowledge and consent of the parents or guardian of such minor, such person shall pay to said parents or guardian the full value of the labor of said minor from and after notice from the parents or guardian that payment of such service shall be made to him or them, as the case may be: *Provided*, This section shall not apply to cases where the parents or guardian fails or refuses to furnish the minor a home and support, in which cases the minor shall have the right to make contracts in regard to his own labor and enforce same in his own name and for his own benefit, and the employer shall be responsible to the minor only in such cases. [1912 Civ C C 82 art 4 s 3788]

MESSENGERS IN CITIES

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited; night work prohibited under 18.—In cities of five thousand inhabitants and over no child under fourteen years of age shall be employed, permitted or suffered to work as a messenger for any telegraph, telephone or messenger company in the distribution or delivery of goods or messages, nor shall any minor child or person under eighteen years of age be so employed, permitted or suffered to work before five o'clock in the morning or after ten o'clock in the evening [of] any day. [1912 No 405 s 1]

Enforcement: duties and powers of commissioner of agriculture, commerce, and industries.—It shall be the duty of the commissioner of agriculture, commerce and indus-

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tries to see that the provisions of this act are complied with. He, his agents or inspectors, shall have the right at any and all times to enter all buildings and parts thereof which are subject to the provisions of this act and make investigations as to the employment of children. He, his agents or inspectors, are also authorized to institute prosecutions for violations of the provisions of this act. [1912 No 405 s 2]

Penalty for hindering commissioner, etc.—Every person, firm or corporation who shall willfully impede the commissioner, his agents, or inspectors in the free and full performance of his duties shall be guilty of a misdemeanor, and, upon conviction of the same, shall be fined not less than ten nor more than fifty dollars, or be imprisoned not less than ten nor more than thirty days, in the discretion of the court. [1912 No 405 s 3]

Enforcement: powers of commissioner to administer oaths, take testimony, etc.—The commissioner shall have power to send for persons or papers whenever in his opinion it is necessary, and he may examine witnesses under oath, being duly qualified to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of the commissioner. [1912 No 405 s 4]

Penalty for employer, etc.—Any owner, superintendent, manager or overseer of any telegraph, telephone or messenger company, or office, of any theater, concert hall or place of amusement or any other person thereof or connected therewith, who shall knowingly employ any child or person contrary to the provisions of this act shall be guilty of a misdemeanor, and for every offense shall, upon conviction thereof, be fined not les[s] than ten nor more than fifty dollars, or be imprisoned not longer than thirty days, in the discretion of the court. [1912 No 405 s 5]

Penalty for parent, etc.—Any parent, guardian or other person having under his or her control any child who covenants, suffers or permits the employment of his or her child or ward under the age above provided, or who knowingly or willfully misrepresents the age of such child or ward to any of the persons named in section 2 of this act, in order to obtain employment for such child or ward, shall be deemed guilty of a misdemeanor, and for every such offense shall, upon conviction thereof, be fined not less than ten dollars nor more than fifty dollars, or be imprisoned not longer than thirty days, in the discretion of the court. [1912 No 405 s 6]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14; exceptions.—Every parent, guardian or other person, temporarily or permanently, residing in the State of South Carolina having charge or control of a child or children between the ages of eight and fourteen years, shall cause such child or children to attend the local public school in the district in which he resides, continuously for the entire school term of each year, except as hereinafter provided. This period of compulsory attendance shall commence at the beginning of the school term nearest to the eighth birthday of such child, and shall cover the compulsory period of six consecutive school years thereafter. The period of compulsory attendance for each public school shall commence at the beginning of the school term of said school unless otherwise ordered by the county board of education in writing; in case of towns or cities of two thousand or more inhabitants, according to the preceding Federal census, by the board of trustees of the public schools of said towns or cities with the approval in writing of the county superintendent of education. Continuous attendance upon some other public school or upon some private or church school taught by competent teachers may be accepted in lieu of attendance upon the local public schools: *Provided*, That said period of continuous attendance upon such other school shall be for at least as long as the public school term each year: *Provided further*, That any private school or church school receiving for instruction pupils between the ages of eight and fourteen years shall be required to keep such records of attendance of such children and to render such reports of same as are hereinafter required of public schools; and attendance upon such schools refusing or neglecting to keep such records or to render such reports shall not be accepted in lieu of attendance upon the local public school of the said town, city or district where the child shall be entitled to attend: *Provided further*, That the compulsory school term in all agricultural districts shall be four months or the full term if the school runs less than four months, said term to be fixed by the board of trustees of such district; and any child or children not engaged in work at home in such agricultural districts, must attend a full term. This four months' compulsory provision shall also apply to all children residing in agricultural districts and attending schools in any town located in such districts. [1915 No 98 s 1]

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Exemptions on account of poverty; other exemptions.—This act shall not apply in any case in which the child's physical or mental condition, as attested by any legally qualified physician before the board of trustees having jurisdiction of the matter under this act, renders his attendance impracticable or inexpedient, or in any case in which the child resides two and one-half miles or more by the nearest traveled route from the schoolhouse, or in any case in which, because of extreme poverty, the services of such child are necessary for his own support or the support of his parents, as attested by the affidavit of such parents and of such witnesses as the trustees of the district may require; or in any case in which said parent, guardian or other person having charge or control of the child shall show before the trustees of the district by affidavit of himself and of such witnesses as they may require, that the child is without necessary books and clothing for attending school, and that he is unable to provide the necessary books and clothing: *Provided*, That when books and clothes shall have been supplied by any means whatsoever the child shall no longer be exempt from this provision: *Provided further*, That if the child lives two and one-half miles or more from the schoolhouse, and means of transportation is furnished, the said child, if otherwise eligible, shall be required to attend the said school under the provisions hereof, and it shall be the duty of the trustees of the school to provide, out of the public school funds, books for the use of such indigent pupil free of charge. The power of the board of trustees to suspend or expel any pupil shall not be curtailed by this act, and children so suspended or expelled shall not be subject to the provisions of this act during such period of suspension or expulsion: *And provided further*, That the board of trustees of any school district may excuse temporarily any child from attendance, good and sufficient reasons being made to appear therefor; and in case any child is excused temporarily under the provisions of this act, the said board of trustees shall reduce to writing the reasons for their action and the time the said child is excused. [1915 No 98 s 2]

Children from 14 to 16 who cannot read and write English and unless regularly and lawfully employed.—Every parent, guardian or other person in the State of South Carolina having charge or control of a child between the ages of fourteen and sixteen years who is not actually, regularly and lawfully engaged in some useful employment or service, or who cannot read at sight and write legibly simple sentences in the English language, shall cause such child to attend regularly some public school as aforesaid. [1915 No 98 s 4]

Penalty.—Any parent, guardian or other person violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of not less than two dollars for the first offense and not less than five dollars for any subsequent offense, nor more than twenty-five dollars in any case, and upon failure or refusal to pay said fine said parent, guardian or other person shall be imprisoned not to exceed thirty days in the county jail: *Provided*, That the fine for any first offense may, by order of the court, upon the payment of costs, be suspended and not collected until the same party is convicted of a second offense: *Provided further*, That after the expiration of three days from the service of the notice by the trustees each and every day a parent, guardian or other person shall willfully and unlawfully keep such child or children from school, or allow him to remain out of school, shall constitute a separate offense and shall subject said person to the penalties herein after prescribed. [1915 No 98 s 5]

EDUCATIONAL REQUIREMENTS—FACTORIES, BUSINESS HOUSES, ETC.

COMPULSORY SCHOOL ATTENDANCE—SCHOOL CENSUS

Enumeration of children from 6 to 21; enforcement: powers of board of trustees; evidence of age may be required for employed children apparently under school age.—The following duties are hereby devolved upon the board of trustees of each school district: They shall take the census of children between the ages of six and twenty-one years, and shall keep the attendance records of their districts. It shall be their duty to take an annual school census during the calendar months of July and August, and to furnish each superintendent, principal or teacher in charge of a school with an accurate report of said census of the district three days before the opening of the school and also to furnish at the same time a copy of the said school census of each district to the county superintendent of education: *Provided*, That in case the school census is not taken as herein directed, it shall be the duty of the county board of education so to do, and to meet the expense out of the funds of the district. The board of trustees shall serve written or printed, or partly written and partly printed, notices

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on every parent, guardian or other person violating the provisions of this act; and prompt compliance on the part of said parent, guardian or other person are [is] hereby required. Prosecution under this act shall be brought in the name of the State of South Carolina before any magistrate or recorder of any municipal court within the limits of whose territorial jurisdiction the person prosecuted resides. The board of trustees shall have the right to visit and enter any office or factory or business house employing children for the purpose of ascertaining the names and ages of the children employed to facilitate the enforcement of this act. When doubt exists as to the age of a child they may require of the employer a properly attested birth certificate or affidavit stating said child's age; they shall keep an accurate account of all notices served, of cases prosecuted, and of all other services performed, and shall make an annual report of same on or before July fifteenth of each year to the county superintendent of education: *Provided further*, That the board of trustees of each school district is hereby vested with authority to employ a clerk or clerks, whose compensation shall not exceed three cents per capita for obtaining a census for each school district for each school term. [1915 No 98 s 6]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of superintendents, principals, and teachers.—It shall be the duty of all superintendents, principals and teachers to co-operate with the board of trustees in the enforcement of the law. To this end it shall be the duty of the superintendent, principal or teacher in charge of any school in which pupils between the ages of eight and fourteen years are instructed to keep an accurate record of the attendance of such pupils; to render during the period of compulsory attendance of each school term monthly reports of same to the board of trustees and the county superintendent of education, showing all absences, excused and unexcused, and in case of each excused absence, stating the reasons therefor. * * * [1915 No 98 s 7]

Enforcement: duties of county boards of education.—It shall be the duty of the county board of education of each county to cause this act to be published in full in some newspaper published in the county, if there is one, and if there is none, in circular form, and given the widest possible circulation at least four weeks prior to the opening of the schools for the school year, beginning July first, one thousand nine hundred fifteen, and annually thereafter, if in their discretion it seems necessary. The board of trustees of any district, city or town shall give two weeks' public notice of the date of opening of any school under their jurisdiction by publishing said notice in a county newspaper or by posting said notice on the schoolhouse door. [1915 No 98 s 8]

Act in effect upon petition of majority of voters or if approved at election.—The notice of any board of trustees giving the date of opening of any school or schools shall also state the proposed length of the term as nearly as practicable, and a copy signed by at least a majority of the board of trustees shall be filed at the date of issuance in the office of the county superinsendent of education. In any district, [or] aggregation of adjoining districts, this act shall not take effect and become operative until, and unless, a petition signed by a majority of the qualified electors of such district, [or] aggregation of districts, requesting the compulsory school attendance under this act, be authorized in such territory shall have been submitted to the clerk of the court. The said clerk of court shall examine such petition with especial reference to the legibility of the names contained thereon, and after examination shall refer such petition to the county board of registration. Along with the petition, the clerk of court shall send his written statement showing that he has counted the names thereon and has found them to be so many (giving the number). Immediately upon receipt of the petition and the statement of the clerk of court, the county board of registration shall check such petition against the registration books of the county or of such number thereof as may be affected, and the said county board of registration shall certify its findings in writing to the county superintendent of education. Upon receipt of such certificate showing that such petition bears the signatures of a majority of the qualified voters of the territory affected, the county board of education shall forthwith declare the provisions of this act of full force and effect in such territory. If such petition for any district or aggregation of districts is filed with the clerk or court, checked by the county board of registration, and certified to the county superintendent of education after the opening of any school or schools, the county board of education may fix the date for the beginning of the compulsory school attendance for that year; or the said county board of education may order such compulsory school attendance to begin at the opening of the next succeeding scholastic year.

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That where no such petition is filed, signed by a majority of the electors as herein provided, upon the filing of a petition signed by one-fourth of the qualified electors of such district or aggregation of districts, an election shall be ordered by the county board of education, submitting to the qualified electors of such district or aggregation of districts, the question of compulsory school attendance or no compulsory school attendance for said district or aggregation of districts: *Provided further*, That the county board of education, in all school districts containing a town of a population of 1,500 or more inhabitants, upon the petition of a majority of the board of trustees, shall order such election. The said election shall be held at the schoolhouse, or schoolhouses, for white children, in the said district or aggregation of districts. The managers shall be appointed by the board of trustees of each district, and the said election shall be conducted in accordance with the rules governing general elections. The county board of education shall supply printed ballots, as follows: "Compulsory school attendance accepted;" "Compulsory school attendance rejected," and if the majority vote in the said election "Compulsory school attendance accepted," then the provisions of this act shall apply to the said district or aggregation of districts. The said election shall be held on the second Tuesday in June, one thousand nine hundred and fifteen, following the filing of the said petition, or on the second Tuesday in June of any subsequent year. Any district omitting, failing or refusing to accept compulsory school attendance as herein provided, either by petition or by election, may adopt the provisions of this act in any subsequent year, either by petition or by election as herein above provided. [1915 No 98 s 9]

Enforcement: powers of the county board of education, board of trustees, etc., to make rules and regulations.—The board of education of each county, and in case of towns and cities of two thousand inhabitants, the board of trustees therein shall have power at any meeting to make such rules and regulations not in conflict with the provisions hereof as they may deem best with reference to the time, place and hours for school attendance so as to secure the attendance of all children between the ages of eight and fourteen years upon the schools of the county as herein provided and such rules and regulations, when approved by the county superintendent of education, and posted at the courthouse door and at the door of each public schoolhouse in the territory affected thereby, shall have the force of law until, and unless, they have been revoked or appealed by the State board of education. The operation of such rules and regulations may be suspended by the State superintendent of education during the pendency of such appeal. [1915 No 98 s 10]

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MINES

MINIMUM AGE

Employment under 14 prohibited; penalty.—All corporations or individuals working mines in South Dakota who shall employ, or permit to be employed, in such mines any children under fourteen years of age shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars. [Revised Codes 1903 Political section 145]

NOTE.—[Sections 140 and 142 of the Revised Codes 1903, Political, provide for an inspector of mines, but his duties appear to relate to safety only.]

INTOXICATING LIQUORS

MINIMUM AGE

Employment under 21 prohibited; misdemeanor.—* * * It shall also be unlawful for any person to whom any license may be granted to employ any person under twenty-one (21) years of age as a bartender or in any other capacity in connection with the place or room where intoxicating liquors are sold: *Provided*, That any person found guilty of violating any of the provisions of this chapter [s 2834–2860] shall be guilty of a misdemeanor. [R C 1903 Pol s 2844 as amended by 1909 C 247]

Penalty.—Except in cases where a different punishment is prescribed by this code, or by some existing provisions of law, every offense declared to be a misdemeanor is punishable by imprisonment in a county jail not exceeding one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment. [R C 1903 Penal s 14]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS

HOURS OF LABOR

Ten hours a day under 14; longer hours not to be compulsory for boys under 18 and girls of any age; penalty.—Every owner, stockholder, overseer, employer, clerk or foreman, of any manufactory, workshop or other place used for mechanical or manufacturing purposes, who, having control, shall compel any woman or any child under eighteen years of age, or permit any child under fourteen years of age, to labor in any day exceeding ten hours, shall be deemed guilty of a misdemeanor, and upon

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conviction, shall be punished by fine not exceeding one hundred and not less than ten dollars. [R C 1903 Pen s 764]

NOTE.—[See section 1, chapter 240 of the Acts of 1913, which prohibits more than ten hours a day being compulsory in any occupation under 14.]

ALL OCCUPATIONS

WAGES

Minor entitled to wages unless claimed by parent.—The wages of a minor employed in service may be paid to him or her until the parent or guardian entitled thereto gives the employer notice that he claims such wages. [R C 1903 Civil s 124]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in street singing, variety theaters, and places where intoxicating liquors are sold, etc., prohibited.—It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, and for all other persons, to exhibit, use or employ such child either as a mendicant, or peddler, or actor, performer or singer on the streets, or in any concert hall or room where intoxicating liquors are sold or given away, or in any variety theater, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for any business, exhibition or vocation injurious to the health or morals or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein * * *. [1903 C 88 s 1]

Penalty.—Any person or persons who shall be convicted of violating any of the provisions of this act shall be fined not to exceed one hundred dollars, or be imprisoned in the county jail not to exceed thirty days, or both, in the discretion of the court; and upon conviction for a second and subsequent offense, shall be fined not to exceed two hundred dollars or be imprisoned in the county jail not to exceed six months. [1903 C 88 s 3]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 21 in districts; penalty for false returns.—It shall be the duty of the clerk of the school district board or clerk of the board of education or some person employed by him in each district in the State on or before the first Monday in June of each year to take the census of all children under twenty-one and over six years of age, residing in the district. In all cases where the clerk employs another person to take the school census, before entering upon the duty of taking the school census such person shall take and subscribe an oath to perform faithfully the duties of census enumerator of such school district to the best of his ability and that he will by a house to house visitation or by conference with a member of each family enter in the said census names of all children of legal school age, as herein defined, and none other, and said oath he shall file with the county superintendent of schools. The census shall show the age of the child on May first, the name of the parent or guardian of each, and shall be filed with the county superintendent on or before the said first Monday in June. The clerk shall also place one copy of said census in the register of each school in the district. In taking the census the clerk, either by a house to house visitation or by conference with a member of each family shall determine positively the data regarding all children entitled to be enrolled on the census as herein defined. If any clerk or person employed by him shall willfully enter and return in said census the names of any children not lawfully entitled to enrollment on account of either age or residence he shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars. For the labor incurred in taking the census, the clerk or person employed by him shall be entitled to receive such remuneration as shall be fixed by the district board, which shall be paid from the district treasury. No clerk or person employed by him shall receive pay for the service of taking the census until said report shall have been approved by the county superintendent and the chairman of the district board notified by the county superintendent:

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Provided, That said remuneration so received shall not be counted as salary. [1907 C 135 art 4 s 99]

Enforcement: duties of county superintendent of schools.—It shall be the duty of the county superintendent of schools to receive such census from each school district clerk in his county, and to inspect carefully the same, and by comparison with the previous census of said district, and other means verify its accuracy, and if on examination and comparison he find the said census to be inaccurate, insufficient, or including names not properly enrolled in the school district, it shall be his duty to cause a new census of the said school district to be made, and the expense thereof shall be charged to and paid by the said district so making the insufficient, false or fraudulent return. In which case the first census enumerator shall be entitled to no remuneration. [1907 C 135 art 4 s 100]

Enumeration of children from 6 to 21 outside districts.—It shall be the duty of the county superintendent to cause a census to be taken each year, on or before the first Monday of June, of all children under twenty-one and over six years of age, residing in the territory of his county not organized into school districts * * *. Such census shall be taken in the same form and manner as the census in school districts and shall show the age of the child on May 1st of that year. Said census shall be filed with the county superintendent, who shall examine and compare the same and if found to be inaccurate or incomplete, it shall be his duty to cause a new census to be taken * * * in the same manner. [1913 C 192 s 3 as added by 1915 C 169]

Enforcement: duties of county superintendent of schools and commissioner of school and public lands.—On or before the first day of July in each year, said county superintendent shall report under oath to the commissioner of school and public lands, the enumeration of children of school age residing in the territory of his county not organized into school districts according to the census herein provided for. It shall be the duty of the commissioner of school and public lands to examine and compare the same and if inaccurate or incomplete, he shall require a re-enumeration as heretofore provided for. * * * [1913 C 192 s 4 as added by 1915 C 169]

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16, inclusive; exceptions; penalty.—Every person having under his control a child between the age of eight and sixteen years, both inclusive, shall annually cause such child to regularly attend some public or private day school for the entire term during which the public school in the district in which he resides is in session, until such child shall have completed the first six grades of the regular common school course: *Provided*, That the district board may, after such child has completed the sixth grade, decrease the required term of attendance to not less than sixteen continuous weeks in each year, until such child has completed the seventh and eighth grades of the regular common school course, or has reached the age of sixteen years. For every neglect of such duty the person offending shall be fined for the use of the public schools of his school corporation, a sum of not less than $10.00 nor more than $20.00 and shall stand committed until such fine and costs of suit are paid. But if the person so neglecting shall show to the board of education or district school board, as the case may be, or to the court, that instruction has otherwise been given by a competent person for a like period of time to such child in the branches commonly taught in the public schools; that such child has already acquired the branches of learning taught in the public schools; or that his physical or mental condition as declared by a competent physician is such as to render such attendance unsafe and impracticable; or, if in the opinion of the court or judge such compulsory attendance would impose conditions which would not be humane, then such penalty shall not be incurred. Such fine shall be paid when collected to the county treasurer or the treasurer of such city or independent district in which such child and parents reside, to be credited by him as other money raised for school purposes to the district from which it came. [1907 C 135 art 7 s 148 as amended by 1915 C 170]

Enforcement: appointment, duties, and powers of truant officers.—The board of education of city or town independent school districts shall appoint each year a truant officer, whose duty it shall be, under the direction of said board or its superintendent, to enforce the provisions of this act: *Provided*, That the county superintendent shall act ex officio as truant officer for all other districts. The truant officer shall receive such compensation for his services as the board of education may determine. It shall be the duty of the truant officer, teacher, member or agent of such board of education to petition, and any reputable citizen may petition, the county court of the county, to inquire into the case of any child of compulsory school age who is not attending school, or whose attendance is irregular, or who has been guilty of habitual truancy, and the

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petition shall also state the names, if known, of the father or mother of such child or the survivor of them, and if neither father nor mother of such child is living or can not [sic] be found in the county or if their names can not be ascertained, then the name of the legal guardian, and if there be neither, then the person who, in the judgment of the court, is responsible for the conduct of such child. Such petition shall be verified by oath upon the belief of the petitioner, and upon being filed, the judge of the county court shall cause to be issued a citation to the sheriff of the county directing him to bring such parent, guardian or person before the court or judge and shall summon such witnesses as may be necessary to ascertain the facts in the case, and if the court or judge shall find that the material facts set forth in the petition are true, then such parent, guardian or person shall be fined as hereinbefore provided. It shall also be the duty of said truant officer to arrest children of school going age who habitually haunt public places and have no lawful occupation, and also truant children who absent themselves from school without leave, and place them in charge of the teacher having charge of the school which said children are by law entitled to attend. * * * [1907 C 135 art 7 s 149]

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 15 during school hours prohibited; penalty for illegal employment and false statements.—No child under the age of fifteen years shall be employed, permitted or suffered to work at any gainful occupation in any mine, hotel, laundry, manufacturing establishment, factory, passenger or freight elevator[,] bowling alley, or in any saloon, theater, concert hall or place of amusement where intoxicating liquors are sold, or as messenger or driver thereof, or in any other manner in work performed for wages or other compensation, to whomsoever payable, during any portion of any month during the hours when the public schools of any district in which he or she resides are in session. Every owner, superintendent or overseer of any mine, factory, workshop, mercantile establishment, or any other person who shall employ any child under fifteen years of age contrary to the provisions of this article shall be deemed guilty of a misdemeanor, and for every offense shall upon conviction thereof be fined not less than $10 nor more than $50 and costs. Any person having the control of a child or who may have children in his employ, who with the intent to evade the provisions of this article shall make a willfully false statement concerning the age of such child or in regard to facts covered by any other provision of this article, shall for such an offense be fined in any sum not less than $10 nor more than $50 for the use of the public school corporation. [1907 C 135 art 7 s 150]

COMMON CARRIERS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees.—No common carrier, nor any officer nor agent thereof, shall require or permit any employee engaged in or connected with the movement of any train to remain on duty more than sixteen consecutive hours, or require or permit any such employee who has been on duty sixteen consecutive hours to go on duty without having had at least ten hours off duty, or require or permit any such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period to continue on duty or to go on duty without having had at least eight hours off without duty within such twenty-four hour period. [1907 C 220 s 1]

Exceptions.—In any prosecution for a violation of the preceding section, it shall be a sufficient defense to show that the employee was prevented from reaching his terminal by any casualty occurring before [sic] he started on his trip, or by accident or unexpected delay of trains scheduled to make connections with the train on which such employee was serving. [1907 C 220 s 2]

Penalty.—Any common carrier and any officer or agent thereof violating any of the provisions of section one of this act shall, upon conviction thereof, be punished by a fine of not less than $100 or more than $1,000. [1907 C 220 s 3]

Enforcement: duties and powers of board of railroad commissioners.—The board of railroad commissioners shall fully investigate all cases of violation of this act, and for that purpose may subpoena witnesses, administer oaths, interrogate witnesses, take testimony and require the production of books and papers either within or without the

[1] See court decision on page 7 (New York).

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State, and shall lodge with the proper States attorneys information of such violations as may come to its knowledge. [1907 C 220 s 4]

Application of act.—The provisions of this act shall not be applied to relief or wreck trains. [1907 C 220 s 5]

ALL OCCUPATIONS

HOURS OF LABOR

Ten hours a standard day's work; longer hours not to be compulsory for boys under 14 and girls of any age; penalty; section not to apply to farm or domestic labor, etc.—Unless a shorter time be agreed upon, the standard day's work for women and girls and children shall not exceed ten hours in each day. Any employer or other person having control who shall compel any woman, or girl, or child under the age of fourteen years to labor more than ten hours in any one day shall be guilty of a misdemeanor and punishable by a fine not to exceed one hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment: *Provided*, This section shall not apply to farm laborers or to domestic servants or to persons engaged in the care of livestock. [1913 C 240 s 1]

NOTE.—[See also section 764 of the Revised Codes, 1903, Penal, which prohibits employment under 14 and compulsory employment under 18 for more than 10 hours a day.]

FACTORIES, WORKSHOPS, MINES, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited; mercantile establishments excepted during vacation; employment under 16 in dangerous, injurious, and immoral occupations prohibited; 10 hours a day, 60 a week, under 16; Saturdays and 10 days preceding Christmas excepted.—No child under fourteen years of age shall be employed at any time in any factory or workshop or about any mine, nor shall he or she be employed in any mercantile establishment except during the vacation of the public schools. No child under sixteen years of age shall be employed at any time in any such occupation dangerous to life, health or morals, nor shall he or she be employed for more than ten hours in any day or sixty hours in any week, except that on Saturdays and for ten days prior to Christmas he or she may be so employed until ten o'clock p. m., except as otherwise provided in section 7,[1] of this act. [1913 C 240 s 2]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 14; school authorities to issue certificates; contents of certificates.—No child under fourteen years shall be employed in any factory, workshop, mine or mercantile establishment unless the employer shall keep on file the certificate herein required, and a complete list of such employees. Such certificate shall be executed by the county superintendent of schools, where there is one, or by some person authorized by him in writing. It shall state the name, date and place of birth, and the age of the child, and that he can read at sight, and write in a legible hand, simple English sentences; or that he is a regular attendant at some school, or during the past twelve months has attended school as required by law, or has been lawfully excused therefrom. Attendance at a private school shall be certified to by the teacher thereof on this certificate. [1913 C 240 s 3]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of county superintendent of schools.—Every factory, workshop, mine, mercantile establishment or other place in or in connection with which children are engaged at labor of any kind, shall at all times be subject to visitation by the county superintendent of schools. [1913 C 240 s 4]

[1] The section referred to is evidently section 5, as section 7 relates to cleanliness in factories and workshops.

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EXCEPTIONS

Permit authorizing employment may be granted on account of poverty; school authorities to issue permits.—Whenever it appears upon investigation that the labor of a minor, who would otherwise be barred from employment under the provisions of this act, is necessary for his support or that of the family to which he belongs, the county superintendent of schools of the county, or chairman or president of the school board or district in which he resides, may issue a permit authorizing his employment within certain hours, to be fixed therein. [1913 C 240 s 5]

FACTORIES AND WORKSHOPS

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; separate dressing rooms when needed.—Every factory, mill or workshop where women, girls and children are employed, shall be kept clean and free from effluvia arising from any sewer, drain, privy or water-closet; be properly ventilated and provided with privies or water-closets for the separate use of male and female employees, and all time kept in a sanitary condition. Whenever the labor performed is such as to require a change of clothing, separate dressing rooms shall be provided for the sexes. [1913 C 240 s 6]

HEALTH OF MINORS

Cleanliness where women and children are employed.—The interior of every factory and workshop in this State where women, girls and children are employed shall be limewashed or painted at least once in every twelve months. Every floor of any room in said factory shall be thoroughly cleaned with soap and water at least once in two weeks and every dressing room and water-closet in said factory shall be thoroughly cleaned with soap and water once every week. [1913 C 240 s 7]

REGULATED OCCUPATIONS

PENALTIES

Violation of act.—Every firm, person, association or corporation, and every officer, agent or employee thereof, violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail not more than thirty days, or [by] both such fine and imprisonment in the discretion of the court. [1913 C 240 s 8]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, ETC.

SEATS FOR WOMEN AND CHILDREN

Seats to be provided and their use permitted.—Every employer of females and children in any mercantile, manufacturing, hotel, or restaurant business, and every agent in charge of any such business, shall provide and maintain suitable seats in the room where they work, and permit such use thereof by them as may be necessary for the preservation of their health. [1913 C 240 s 9]

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***Note.*—[*The duties and powers relating to the enforcement of labor laws heretofore exercised by the factory inspector were vested by chapter 11 of the Acts of 1913 in the chief inspector of workshops and factories. In every case the new enforcing authority has been indicated by an insertion in brackets in the text, the former enforcing power being omitted.*]**

FACTORIES AND WORKSHOPS

TOILETS FOR GIRLS

Separate toilets for the sexes.—Every person, firm, or corporation running or operating any workshop or factory where fifteen or more persons are employed at labor, shall provide separate water-closets for males and females, and keep the same in good sanitary condition. [Shannon's Code 1896 Supplement 1904 page 470 section 5]

Opinion.—This section is void as the title of the act (chapter 401 of the Acts of 1899) did not express the purpose of section 5.—Attorney General.

Enforcement: duties of shop and factory inspectors.—It shall be the duty of the shop and factory inspector to enforce the provisions of this act by giving proper notices to the person, firm, or corporation operating or running workshops or factories inspected by him, and also to make complaint to the attorneys general of the respective districts of all violations of this act. [S C 1896 Supp 1904 p 470 s 6]

Penalty.—Any person, firm, or corporation operating or running any workshop or factory where machinery is used, upon conviction of a violation of this act shall be fined not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) for each offense: *Provided*, No action shall be taken until after four weeks' notice shall have been given by the shop and factory inspector to any firm, person, or corporation operating or running a workshop or factory of the changes necessary to be made, and not then if in the meantime said changes have been made. [S C 1896 Supp 1904 p 470 s 7]

Enforcement: copies of notices.—The orders or notices given by the shop and factory inspector shall be written or printed, and signed by him officially, and served by himself or by leaving an attested copy thereof at the usual place of business of the person upon whom service is to be made, and a copy of the same shall be filed in the office of the county court clerk of the county in which the workshop or factory is located, and such copy shall be prima facie evidence that notice was given. [S C 1896 Supp 1904 p 470 s 8]

NOTE.—[Chapter 401 of the Acts of 1899 as amended by chapter 67 of the Acts of 1901 (S C 1896 Supp 1904 p 470 s 5–8), is amended by section 1 of chapter 159 of the Acts of 1905 to make the word "workshop" whenever the same appears include bakeries whether the same is run by machinery or not.]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS

TOILETS FOR GIRLS

Separate toilets for the sexes.—All persons hiring or employing female help in any manufacturing or mercantile business or establishment, shall provide separate privies or water-closets for such female help. [S C 1896 Supp 1904 p 472 s 1]

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Penalty.—A violation of the foregoing [section] shall be a misdemeanor punishable by a fine of not less than two or [nor] more than ten dollars. [S C 1896 Supp 1904 p 472 s 3]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of all persons from 6 to 21.—The duties of the clerk of the district shall be as follows: (1) Within thirty days after his appointment, and annually thereafter, in the month of July, to take a census of all persons, residing in the school district between the ages of six and twenty-one years, and to gather the statistics relating to education, according to forms furnished by the superintendent of public instruction. * * * [S C 1896 s 1432]

Enumeration of scholastic population in districts.—The duties of the said district advisory board shall be as follows:

* * * * * * *

4. To have the secretary enumerate the scholastic population in the civil district annually during the month of July, and report same to the secretary of the county board of education, and the secretary of said advisory board shall receive for this an amount not exceeding two cents per capita for pupils enumerated: *Provided*, That in enumerating the scholastic population, the full name of the child, the name of the parent, and the age of the child be recorded, and also the fact as to whether the child is able to read and write: *Provided*, That in any town or city maintaining a separate school system, the board of education for said town or city is hereby empowered and directed to enumerate the scholastic population for said town or city under the rules and regulations as herein provided: *Provided further*, That in addition to giving the name of the child, the name of the parent, and stating whether the child can read and write, the name of the street and the number of residence shall be given: *Provided, further*, That the enumerator of the scholastic population, whether in the county or city, shall make affidavit in due form of law that he has taken the census carefully and accurately in accordance with the provisions of the law, and that his report is correct to the best of his knowledge and belief. The city board of education and the district advisory board shall file this affidavit, together with the census report, with the county superintendent on or before August 1st of each year. * * * [1907 C 236 s 14 as amended by 1909 C 562]

Application of act.—* * * the provisions of this act shall not apply to the following counties: * * * [Campbell, Chester, Crockett, Dyer, Hickman, Marshall, Moore, Obion, Overton, Smith, and Wilson.] [1907 C 236 s 17 as amended by 1909 C 186, 576, by 1911 C 564, and by 1915 C 48, 113]

NOTE.—[Chapter 327 of the Acts of 1909 amending chapter 25 of the Acts of 1873 provides for a census in Houston, Lewis, Shelby, and Trousdale counties.]

CHILD LABOR AND VAGRANCY

Persons living on the earnings of their minor children declared vagrants.—The following persons are and shall be defined and punished as vagrants, viz:

* * * * * * *

(n) All persons who, though able to work, fail to do so, but hire out their minor children, or allow them to be hired out, and subsist upon their wages. * * * [1907 C 256 s 1]

Enforcement: duties of sheriffs, police officers, etc.—It shall be the duty of every sheriff, deputy sheriff, and constable in every county in this State, and of the police, town marshal, and of all other like officials of the State, when they have notice of any violation of the provisions of this act, to immediately give information under oath to any justice of the peace having jurisdiction and to obtain from such justice of the peace a warrant for such offender or offenders, and carry him or her before any justice having jurisdiction for trial; and it shall be the duty of such justice of the peace to issue a warrant upon such information: *And provided further*, That any private citizen upon information may swear out and obtain a warrant when he knows of a violation of the provisions of this act. [1907 C 256 s 2]

Penalty.—Every person who, according to the provisions of this act, shall be adjudged a vagrant shall be deemed guilty of a misdemeanor, and for his or her first offense in the county where she or he may be tried shall be fined not less than ten [dollars] ($10) nor more than twenty-five dollars ($25) and cost, and for each succeeding offense in the same county he or she shall upon conviction be fined not less than fifty dollars ($50). [1907 C 256 s 3]

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MANUFACTURING ESTABLISHMENTS

HOURS OF LABOR

Sixty hours a week for boys under 16 and girls of any age.—It shall be unlawful for any person, firm, or corporation to employ in any manufacturing establishment in this State any female, or any child under the age of sixteen years, more than sixty (60) hours in any one week. [1907 C 308 s 3]

Penalty.—Every violation of this act is hereby declared to be a misdemeanor punishable by a fine of not less than twenty-five ($25) dollars and not more than one hundred ($100) dollars for each offense. [1907 C 308 s 4]

NOTE.—[See section 2 of chapter 12 of the Acts of 1913, First Extra Session, for provision regulating the hours of labor for boys under 16 and girls of any age in factories and workshops.]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Powers of factory inspector.—Police powers and authority are hereby conferred upon and vested in the [chief inspector of workshops and factories], and he shall have full power and authority to enforce all the labor laws of the State, with the exception of the mining laws, by making arrests for the violation of such laws in the same manner as officers of the State empowered by law to make arrests for violation of the laws of the State now have and possess. [1909 C 124 s 1]

NOTE.—[Chapter 169 of the Acts of 1915 makes provision for the inspection of mines, but the specified powers and duties of the inspectors do not appear to relate to child labor.]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Penalty for employment from 8 to 16 during school hours; exceptions.—During the period of the year that the public schools of any district or city of this State are in operation it shall be a misdemeanor, punishable by fine, for any person, firm, or corporation to hire or use the services of any child between the ages of eight and sixteen years, unless such child shall first have attended school during the year then current for the length of time required by this act, or unless such child has been excused from school attendance in the manner allowed and prescribed by this act, and a violation of this provision shall subject the offender to a fine of ten dollars ($10) for each offense * * *. [1909 C 163 s 5]

NOTE.—[This act applies to Cocke County only. Similar provisions in laws providing for compulsory school attendance from 8 to 16, with certain exemptions, apply to the following counties: Scott and Campbell (1907 C 603); Campbell (1907 C 604); Roane (1909 C 183); Jefferson and Monroe (1909 C 225 and C 543); Carter and Johnson (1909 C 234); Sevier (1909 C 235); Blount and Hardin (1909 C 236); Marion (1909 C 241); Hancock (1909 C 256); Smith (1909 C 543); and Cumberland (1909 C 544). The age period for compulsory school attendance, with certain exemptions, is from 8 to 14 in the following counties: Blount, Claiborne, Monroe, and Union (1905 C 483); Anderson (1909 C 206); Cannon, Carter, Clay, Cumberland, Fentress, Grundy, Grainger, Hamblen, Hawkins, Jefferson, Johnson, Knox, Lewis, Loudon, Macon, Meigs, Monroe, Morgan, Pickett, Trousdale, Unicoi, and Washington (1909 C 494). It will be noted that in the following counties there is an apparent conflict between the age periods for compulsory school attendance: Jefferson and Monroe (1909 C 225 and C 543) from 8 to 16, and (1909 C 494) from 8 to 14; Carter and Johnson (1909 C 234) from 8 to 16, and (1909 C 494) from 8 to 14; Blount (1909 C 236) from 8 to 16, and (1909 C 483) from 8 to 14; Cumberland (1909 C 544) from 8 to 16 and (1909 C 494) from 8 to 14.]

Enforcement: duties of census officers.—It shall be the duty of all school officers, whose duty it is to take the school census within their respective districts, counties, and cities, to ascertain at the time of taking the annual census of the school children as required by law the full name and the age of each child, and the name and place of residence of the child's parent, guardian, or other custodian, and record the same in their respective offices, and make report thereof to the county superintendent of public instruction. The district clerk or the secretary of the city or county board of education shall, at the beginning of the school session, furnish to the principal or teacher of each public school under control of the respective boards a copy of the census of all children between the ages of eight and sixteen years belonging to the school in charge of such principal or teacher or residing in the school limits thereof. [1909 C 163 s 6]

Enforcement: duties of school authorities.—It shall be the duty of the district, county, and city school boards having control of the public schools in the districts and cities, through the clerk or secretary, as their agent or other school officer designated by the respective boards, to enforce the payment and collection of all fines for the violation

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of this act incurred by employers, parents, and others within respective districts and cities, and for this purpose to institute all necessary suits therefor in the name of the State before any court having competent jurisdiction * * *. [1909 C 163 s 8]

FACTORIES, WORKSHOPS, MESSENGER SERVICE, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited; night work prohibited under 16.—It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child less than fourteen years of age in, about, or in connection with any mill, factory, workshop, laundry, telegraph or telephone office, or in the distribution or transmission of merchandise or messages. And no child under sixteen years of age shall be employed, permitted, or suffered to work in any of the occupations named in this section between the hours of six o'clock in the evening and six o'clock in the morning of any one day. [1911 C 57 s 1 as amended by 1913 1st Extra Session C 47]

Court decisions.—Under a former section on the above subject, employment in violation thereof constitutes negligence per se.—Iron & Wire Co. *v.* Green, 108 Tenn. 161, 65 S. W. 399 (1901). A child under 14, injured while working in a furniture factory has a right of recovery against the employer.—Finley *v.* Furniture Co., 119 Tenn. 698, 109 S. W. 504 (1907).

ALL OCCUPATIONS

MINIMUM AGE

Employment under 14 prohibited during school hours.—It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child under fourteen years of age in any business or service whatever which interferes with the child's attendance at school, during any part of the term the public schools of the district in which the child resides are in session. [1911 C 57 s 2 as amended by 1913 1st Extra Session C 47]

DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, mines, quarries, etc.—No child under the age of sixteen years shall be employed, permitted, or suffered to work at any of the following occupations or in any of the following positions: repairing machine belts, while in motion, in any workshop or factory, or assisting therein in any capacity whatever; adjusting any belt to any machinery; oiling or cleaning machinery or assisting therein; operating or assisting in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery; picker machines, machines used in picking wool, machines used in picking cotton, machines used in picking hair, machines used in picking any upholstering material; paper-lacing machines, leather-burnishing machines in any tannery or leather manufactory; job or cylinder printing presses operated by power other than foot power, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines used in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, corregating [corrugating] rolls, such as are used in roofing and washboard factories; steam boilers, steam machinery or other steam generating apparatus, dough brakes or crackery [sic] machinery of any description; wire or iron straightening machinery, rolling mill machinery, punches or shears; washing, grinding, or mixing mills; calendar [calender] rolls in rubber manufacturing; laundering machinery; dipping, drying, or packing matches; or in mines or quarries. [1911 C 57 s 3]

MESSENGERS

HOURS OF LABOR

Night work prohibited under 18.—It shall be unlawful for any proprietor, foreman, owner, or other person to employ any child under eighteen years of age as a messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after ten o'clock in the evening of any day. [1911 C 57 s 4]

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FACTORIES, WORKSHOPS, MESSENGER SERVICE, ETC.

AGE CERTIFICATES

Certificates required from 14 to 16; false statement perjury.—It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child between the ages of fourteen and sixteen years in, about, or in connection with any place or establishment named in section 1, unless said proprietor, foreman, owner, or other person keep on file and accessible to the shop and factory inspector a sworn statement made by the parent or guardian or any person acting as guardian of such child, setting forth the place and date of birth of such child, and whoever shall make false statement as to the age of such child in such sworn statement shall be deemed guilty of perjury. [1911 C 57 s 5]

Penalty.—The punishment for perjury or subornation of perjury is imprisonment in the penitentiary not less than three [nor] or more than 15 years. [S C 1896 s 6699]

REGULATED OCCUPATIONS

PENALTIES

Illegal employment; parent, employer, etc.—Whoever employs any child and whoever having under his control as parent, guardian, or otherwise any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars nor more than two hundred and fifty dollars, in the discretion of the court. [1911 C 57 s 6]

APPLICATION OF ACT

Fruit and vegetable canneries exempted.—Chapter 57 of the Acts of 1911, of the General Assembly of the State of Tennessee, as amended by chapter 47 of the Acts of 1913 [1st Extra Session], * * * [is] amended so as to provide that hereafter,, none of the provisions of said act as amended, except the provisions contained in section[s] 2 and 3 of said act, shall apply to fruit and vegetable canning factories. [1915 C 172 s 1]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14, inclusive; from 14 to 16 if illiterate or if not regularly and lawfully employed.[1]—Every parent, guardian, or other person, in the State of Tennessee, having charge or control of any child between the ages of eight and fourteen years, inclusive, shall cause such child to be enrolled in and attend some day school, public, private or parochial, for eighty consecutive days, or when the school term is less than eighty days in length for the full term, in each year in the county or city in which said child may reside: *Provided*, That in cities maintaining a separate school system which have a scholastic population of five thousand or over by the State school census of 1912, or any subsequent State school census, any parent, guardian, or other person having control of any child between the ages of eight and fourteen, inclusive, shall cause such child to attend school for the full school term: *Provided further*, That any parent, guardian, or other person having charge or control of any child between the ages of fourteen and sixteen years who is not actively and regularly and lawfully engaged in some useful employment or service, or who is unable to read and write, shall cause such child to attend school as herein provided for children between the ages of eight and fourteen years. [1913 C 9 s 1]

Exceptions.—Any child between the ages aforesaid may be excused temporarily from complying with the provisions of this act in whole or in part, if it be shown to a court of competent jurisdiction, or a county or city board of education having control of the school to which said child belongs, that said parent, or guardian, or person having charge or control of said child, is not able, through extreme destitution, to provide proper clothing for said child, or that said child is mentally or physically incapacitated to attend school for the whole period required or any part thereof, or that the

[1] For further provisions relating to compulsory school attendance in certain counties, see note, page 5.

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school to which the said child belongs is more than two miles by the nearest-traveled road from the residence of the child, and public transportation to and from school is not provided, or that said child has completed an elementary school course, including eight grades, and has certificate to that effect from the principal of the school attended. * * * [1913 C 9 s 2]

Penalty for violation of act, false statements, etc.—Any parent, guardian, or other person, having charge or control of any child embraced within the provisions of this act, who with intent to evade the provisions of this act, shall make a false statement concerning the age of such child or the time that such child has attended school, shall be deemed guilty of misdemeanor, and, upon conviction thereof shall be fined in any case not less than two dollars or more than fifty dollars, at the discretion of the court. Any parent, guardian, or other person failing to comply with the provisions of this act, shall be deemed guilty of misdemeanor, and upon conviction thereof shall pay a fine of not less than two dollars nor more than twenty dollars for the first offense, and not less than five dollars nor more than fifty dollars for the second and every subsequent offense, and the cost of the suit: *Provided*, That such fine may be suspended and finally remitted by the court trying the case with or without the payment of costs, at the discretion of the court, if the said child be immediately placed in regular attendance in some day school as aforesaid, and if such fact of regular attendance is proven subsequently to the satisfaction of said court by an attested certificate of attendance by the superintendent or teacher of said school. Any parent, guardian, or other person having charge or control of any child embraced within the provisions of this act, who shall be proceeded against under this act, may prove in defense that he is unable to compel the child under his control to attend school, and he may thereupon be discharged from liability, and such child shall be proceeded against as a delinquent child under the statutes in such cases provided. [1913 C 9 s 3]

Enforcement: duties of superintendents, teachers, attendance officers, etc.—It shall be the duty of the county or city superintendent to furnish to teachers, or in schools having more than one teacher, to principals, or cause to be furnished through any duly elected attendance officer as hereinbefore provided, the names of pupils depending on their schools for instruction, the said lists to be taken from the census enumeration on file in the office of the superintendent. It shall be the duty of said teachers and principals to report promptly and regularly to the county or city board of education, through the county or city superintendent of schools, the names of all parents, guardians, or other persons who fail to comply with the provisions of this act. It shall then be the duty of the board of education, through the county or city superintendent, or through any duly elected attendance officer, to give written notice to parent, guardian, or other person having charge and control of such child, that the attendance of such child at school is required; and if said parent, guardian, or other person does not comply immediately with the provision of this act, said county or city superintendent of schools, or said duly elected attendance officer shall proceed against such child as a delinquent child, and against such parent, guardian, or other person for violation of this act. [1913 C 9 s 6]

Enforcement: appointment, duties, and powers of attendance officers.—In every city maintaining a separate school system having a scholastic population of five thousand or more by the State school census of 1912, or any subsequent State school census, the board of education of said city shall elect one or more attendance officers to enforce the provisions of this act. In every city maintaining a separate system having a scholastic population of less than five thousand by the State school census of 1912 or any subsequent State school census, and in every county, the board of education of said city or county shall have authority to elect one or more attendance officers to enforce the provisions of this act: *Provided*, That not more than one attendance officer shall be elected for every five thousand school children residing in any city or county: *Provided further*, That every city having a separate system of schools, and every county, may appoint one such attendance officer. Such attendance officers shall be residents of the county or city in which they are elected. They must be of good moral character and must be able to read and write with ease. Before they shall be eligible for election, all applicants for position as attendance officer shall present certificate from city or county superintendent that they meet the requirements herein provided. Said attendance officers shall be paid not less than one dollar nor more than three dollars per day during such period of time as they may be employed by the school board, and said payment shall be made out of the public school funds of said city or county. Said attendance officers shall serve written or printed notices upon the parents or guardian, or other person having charge and control of any child as aforesaid, who violate the provisions of this act; and shall, when reasonable doubt exists as to the age of any child,

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require a properly attested birth certificate; and shall have the right to visit and enter any office or factory or business house employing children as aforesaid; and the right to require a properly attested certificate of attendance of any child at a day school; and power to arrest, without warrant, all truants as aforesaid, and place them in some public school, unless the parent, guardian, or person having charge or control of said child shall at once place them in some other day school as aforesaid; such attendance officers shall serve the legal notices and subpoenas of the court without further fee or compensation than that paid by the board of education as aforesaid, and he shall carry into effect such other regulations as may lawfully be required by the board electing him. [1913 C 9 s 7]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of chief factory inspector.—The chief inspector of workshops and factories * * * shall enforce the provisions of all laws relating to workshops and factories, and prosecute violation thereof, and perform such other duties as are required of him by law. [1913 C 11 s 2]

Appointment of deputy inspectors; female inspector.—With the approval of the governor, the chief inspector of workshops and factories shall appoint three deputy inspectors of workshops and factories, two male and one female * * *. [1913 C 11 s 3 as amended by 1915 C 170]

Duties of deputy inspectors.—The chief inspector of workshops and factories shall divide the State into districts and make such assignments of deputy inspectors therein as he may see fit, and prescribe such rules and regulations for their government as the service may require. Each deputy inspector of workshops and factories shall visit the shops and factories of the district assigned to them [him] as often as practicable, see that the laws relating to workshops and factories are enforced, and perform such other duties pertaining to the department of workshops and factory inspection as the chief inspector directs. [1913 C 11 s 4]

Duties and powers of deputy inspectors.—Each deputy inspector of workshops and factories, assigned to a district for the inspection of workshops and factories therein, shall carefully inspect the sanitary conditions, system of sewerage, situation and condition of water-closets, systems of heating, lighting, and ventilating rooms where persons are employed at labor, and the means of exit in case of fire or other disasters within, or connected with, such workshops and factories. Said deputies referred to herein shall have power and authority to order such changes as may by them be considered necessary to accomplish the highest degree of health, safety, comfort and efficiency possible. * * * [1913 C 11 s 5 as amended by 1915 C 179]

Powers of factory inspectors.—For the purpose of an inspection or examination required of them by law, the chief inspector of workshops and factories, and each deputy inspector, at reasonable hours may enter any workshop or factory in the State. [1913 C 11 s 6]

Powers of factory inspectors; perjury.—In the performance of his duties pertaining to his office, the chief inspector of workshops and factories, and each of the deputy inspectors, shall have the authority of a notary public to administer oaths and take affidavits in the administration of the duties thereof, and any false swearing shall be deemed guilty of perjury,[1] and punishable as such. [1913 C 11 s 7]

Application of act; definitions.—The term "workshops and factories" as used in this act shall include the following: Manufacturing, mills, mechanical, electric, mercantile, art, and laundering establishments; printing, telegraph, and telephone offices; department stores, or any kind of an establishment wherein labor is employed or machinery used. [1913 C 11 s 9]

FACTORIES, MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person, firm, or corporation employing females in any factory, mercantile establishment, mill, or workshop in this State, shall provide a suitable seat for each female employee, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties

[1] For penalty for perjury, see page 7 (Shannon's Code 1896 s 6699).

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for which they are employed; and shall permit the use of such seats at all times when such use would not actually and necessarily interfere with the proper discharge of the duties of such employees, and wherever practicable, such seats shall be made a permanent fixture. [1913 C 45 s 1 amending 1905 C 171]

Penalty.—Any person, firm, or corporation violating this act, or any of the provisions thereof, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than ten dollars ($10) nor more than one hundred dollars ($100) for each violation thereof. [1913 C 45 s 2]

Repealing clause.—So much and such parts of said chapter 171 of the Acts of 1905 as are in conflict with this act * * * are hereby repealed. [1913 C 45 s 3]

NOTE.—[All of chapter 171 of the Acts of 1905 appears to have been repealed by chapter 45 of the Acts of 1913, quoted above, except the provision for an additional penalty provided for in section 3 of said act of 1905 as follows: "And in the event said owner or proprietor shall continue to disobey said act he shall be subjected to a fine at the rate of one dollar daily for every chair he fails to furnish his said employees."]

FACTORIES AND WORKSHOPS

HOURS OF LABOR

Application of act; agricultural pursuits and domestic labor exempted.—* * * The term "workshops and factories" as used in this act shall include the following: Manufacturing, mills, mechanical, electrical, mercantile, art and laundering establishments, printing, telegraph and telephone offices, department stores, or any kind of an establishment wherein labor is employed or machinery is used: *Provided*, That domestic service and agricultural pursuits are hereby excluded. [1913 1st Extra Session C 12 s 1 as amended by 1915 C 144]

Fifty-seven hours a week for boys under 16 and girls of any age; 10½ hours a day under certain conditions.—It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work in, about, or in connection with any workshop or factory in the State of Tennessee, any female or any child under sixteen years of age in excess of fifty-seven hours in any one week or more than ten and a half hours in any one day: *Provided*, That ten and a half hours per day will be permitted only for the purpose of providing for one short day in the week. [1913 1st Extra Session C 12 s 2 as amended by 1915 C 144]

Penalty for employer, employee, etc.—Any proprietor, foreman, owner, or other person who shall require, permit, or suffer to work in, about, or in connection with any industry or establishment named in the foregoing section, any female or child under the age of sixteen years, more than the number of hours as prescribed in * * * [section] two of this act, or any person mentioned in * * * [section] two violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) for each offense. [1913 1st Extra Session C 12 s 3]

Hours to be posted.—Every proprietor, foreman, owner, or other person, in charge of any industry specified in * * * [section] two of this act shall post, or cause to be posted, in a conspicuous place in the workroom or place of employment where persons affected by this act are employed, a printed or written notice, setting forth therein the hours of commencing and leaving work, the time allowed for meals or other intermissions, and the maximum number of hours any female or child under the age of sixteen be permitted to work in any one day or in any one week. And in event any proprietor, foreman, owner, or other person shall operate a business which runs at night, he shall specify in said notice the hours of work on the night shift, giving the number of hours each female or child under the age of sixteen years is permitted to work on such night shift. [1913 1st Extra Session C 12 s 4]

Evidence of violation.—The failure on the part of any proprietor, foreman, owner, or other person in charge of any industry named in * * * [section] two of this act to post, or cause to be posted, within sixty days after date of the passage of this act, and to keep posted said notices as provided in section four, shall be prima facie evidence of the violations of * * * [section] two of this act. [1913 1st Extra Session C 12 s 5]

Time book required.—Every proprietor, foreman, owner, or other person mentioned in the foregoing sections of this act shall keep, or cause to be kept, a record, showing the length of time each and every female, or child under sixteen years has worked each day and the number of hours worked in each week; and such record shall be open for inspection at all reasonable hours to the department of workshop and factory inspection. [1913 1st Extra Session C 12 s 6]

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Enforcement: duties of factory inspectors, etc.—The State department of workshop and factory inspection shall be charged with the duty of enforcing the provisions of this act and prosecute all violations thereof. [1913 1st Extra Session C 12 s 7]

Application of act; fruit and vegetable canneries exempted.—Chapter 12 of the Acts of 1913 [1st extra session], of the General Assembly of the State of Tennessee, * * * [is] so amended as to exclude fruit and vegetable canning factories from the provisions of said act. [1915 C 176 s 1]

FACTORIES, WORKSHOPS, ETC.

PERMITS.

Permits required in tenement-houses, etc., where children under 16 are employed.—* * * where children under the age of sixteen years live in such room, apartment, or tenement, [room, apartment, or tenement in which articles are manufactured, altered, repaired, or finished, which must be well lighted and ventilated and must contain at least 500 cubic feet of air space for every person working therein] they shall not engage in any work above specified [manufacturing, altering, repairing, or finishing any article] without first obtaining a permit so to do from the department of workshop and factory inspection. [1915 C 170 s 9]

ALL REGULATED OCCUPATIONS.

PENALTIES.

Failure to comply with orders, etc.—Any owner, manager, foreman, or other person who may refuse, fail or neglect to comply with the orders issued by said chief [chief inspector of workshops and factories] or deputies shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than fifty ($50.00) dollars nor more than one hundred ($100.00) dollars, and in addition thereto, a fine of five ($5.00) dollars for each day after the time limit has elapsed until said order is carried out acceptably to said department chief or said deputies. * * * [1915 C 170 s 11]

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INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors prohibited; penalty.—Every retail liquor dealer, or malt liquor dealer, * * * who shall have in his employ about his place of business * * * any minor * * * shall be guilty of a misdemeanor, and, upon conviction therefor, shall be punished by a fine of not less than ten dollars nor more than two hundred dollars, or by imprisonment in the county jail for not longer than sixty days, or by both such fine and imprisonment. [Revised Criminal Statutes 1911 article 622]

Employment of girls of any age, other than members of family, prohibited; penalty.—No retail liquor dealer, or retail malt dealer, shall employ, or suffer to be employed, other than a member of his own family, any female as a servant, bartender or waitress in his place of business, * * * and any person violating the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment in the county jail for not more than twelve months, or by a fine not exceeding five hundred dollars, or [by] both such fine and imprisonment. [R Crim S 1911 art 626]

Enforcement; duties of sheriffs, constables, etc.—Any tax collector, sheriff, deputy sheriff, constable, or other peace officer, having knowledge of the violation of this chapter [s 611–633], shall report the same to the county attorney, who shall forthwith prosecute any person or persons violating the provisions of this chapter; and any tax collector whose attention has been called to an instance in which the provisions of this chapter appear to have been violated, shall investigate the particular case, and, if it is found that this chapter has been violated, report the fact to the county attorney or district attorney. [R Crim S 1911 art 631]

CHILD LABOR AND VAGRANCY

Persons living on the earnings of their minor children declared vagrants.—The following persons are and shall be punished as vagrants, viz:

* * * * * * *

(n) All persons who are able to work and do not work, but hire out their minor children, or allow them to be hired out and live upon their wages, being without other means of support. * * * [R Crim S 1911 art 634]

Enforcement: duties of police officers, sheriffs, etc.—It shall be the duty of every sheriff, deputy sheriff and constable in every county, and of the police, town marshal, deputy marshal, and other like officials, in every county, city, town or village in the State, to give information under oath to any officer empowered to issue criminal warrants, of all vagrants within their knowledge, or upon information in their respective counties, cities, towns and villages; thereupon the said officer shall issue a warrant for the apprehension of the person alleged to be a vagrant. [R Crim S 1911 art 637]

Penalty for vagrancy.—Whenever any person shall have been arrested on a charge of vagrancy, he shall immediately be carried before any court having jurisdiction of the offense herein named, and, upon conviction thereof, shall be fined in any sum not to exceed two hundred dollars. [R Crim S 1911 art 639]

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Powers of commissioner of labor statistics.—Upon the written complaint of two or more persons, or upon his failure otherwise to obtain information, in accordance with the provisions of this chapter [s 1585–1591], the commissioner of labor statistics shall have the power to enter any factory, mill, workshop, mine, store, business house, public or private work, or other establishment, or place where five or more persons are employed at work, when the same is open and in operation, * * * for the purpose of examining into the methods of protecting employees from danger and the sanitary conditions in and around such building or place, of all of which, the said commissioner shall make and return into the bureau of labor statistics a true and detailed record in writing. [R Crim S 1911 art 1589]

Opinion.—The commissioner of labor statistics is authorized to enter a boarding house where five or more persons are employed for the purpose named in this section.—Attorney General (1911).

Duties of commissioner of labor statistics.—If the commissioner of labor statistics shall learn of any violation of the law with respect to the employment of children * * * or the safety of employees, or the preservation of health, or in any other way affecting the employees, he shall at once give written notice of the facts to the county or district attorney of the county in which the law has been violated, or of some other county, if any there be, having jurisdiction of the offense; and the county or district attorney to whom such notice has been given shall immediately institute the proper proceedings against the guilty person. [R Crim S 1911 art 1590]

PENALTIES

Hindering inspectors, etc.—Any owner, manager, superintendent or other person in charge or control of any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place, where five or more persons are employed at work, who shall refuse to allow any officer or employee of the said bureau of labor statistics to enter the same, or to remain therein for such time as is reasonably necessary, or who shall hinder any such officer or employee, or in any way prevent or deter him from collecting information, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not to exceed one hundred dollars, or imprisonment [imprisoned] in the county jail for not to exceed sixty days. [R Crim S 1911 art 1591]

Opinion.—While railroad companies are not, in terms, named in this act, it is broad enough to include them.—Attorney General (1912).

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 7 to 18.—The county superintendent of public instruction shall, and the board of trustees of the independent school districts, [sic] on the first day of January of each year, or as soon as practicable thereafter, appoint one of the trustees of each school district, or some other qualified person, to take the scholastic census, who shall be known as the census trustee of the district. It shall be the duty of the census trustee to take, between the first day of March and the first day of April, after his appointment, a census of all the children that will be over seven and under eighteen years of age on the first day of the following September, and who are residents of the school district on said first day of April, and to make report under oath to the county superintendent on or before the first day of June next thereafter. In taking the said census he shall visit each home, residence, habitation and place of abode, and shall, by actual observation and interrogation, enumerate the children thereof in the following manner: He shall use for each parent, or guardian or person having control of any such children, a prescribed form showing the name, color and nationality of the person rendering such children, the name and number of the school district in which the children reside, and the name, sex and date of birth of each child of which he is a parent or guardian, or of which he has control, and which child will be over seven and under eighteen years of age on the first day of September next following. The census trustee shall require such form to be subscribed and sworn to by the person rendering the children, and he is hereby authorized to administer oaths for this purpose. When the census trustee visits any home or house or place of abode of a family, and fails to find either the

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parent or any person having legal control, it shall be the duty of the census trustee to leave the prescribed census blank for the use of parents at such home or place of abode, with a note to the parent or guardian having legal control of such child or children, requiring that the form be filled out, sworn and subscribed to before the census trustee, or any officer authorized to administer oaths, and that the blank, when so filled out, shall be delivered by the parent or person having legal control of the child or children to the census trustee. [Revised Civil Statutes 1911 article 2774 as amended by 1915 Chapter 121]

RAILROADS [1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees.—It shall be unlawful for any railroad company, or receiver of any railroad company, operating any line of railroad in whole or in part in this State, or any officer, or agent of such railroad company or receiver to require or permit any conductor, engineer, fireman or brakeman to be or remain on duty for a longer period than sixteen consecutive hours; and whenever any such conductor, engineer, fireman or brakeman shall have been continuously on duty for sixteen hours, he shall be relieved and shall not be required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such conductor, engineer, fireman or brakeman who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty. [R Civil S 1911 art 6584]

Exceptions; penalty; prosecution.—Any railroad company, or receiver of any railroad, operating a line of railroad in whole or in part in this State, or any officer or agent of such railroad or receiver who shall violate any of the provisions of the preceding article shall be liable to a penalty of not to exceed five hundred dollars for each and every violation; and any such penalty shall be recovered and suit therefor shall be brought in the name of the State of Texas in any court having jurisdiction of the amount, in Travis County, or in any county into or through which said railroad may pass. Any suit or suits to recover a penalty or penalties for violating any of the provisions of the preceding article may be brought either by the attorney general, or under his direction, or by the county attorney or district attorney of any county or judicial district into or through which said railroad may pass, and such attorney bringing any such suit or suits shall be entitled to compensation of one-third of any penalty or penalties recovered therein. In all prosecutions under this and the preceding article against any railroad company, or receiver of any railroad company, such company or receiver shall be deemed to have had knowledge of all acts of all of its officers and agents: *Provided,* That the provisions of this and the preceding article shall not apply in any case of casualty or unavoidable accident, or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of any conductor, engineer, fireman or brakeman at the time such conductor, engineer, fireman or brakeman left a terminal, and which act could not have been foreseen: *Provided further,* That the provisions of this and the preceding article shall not apply to crews of wrecking or relief trains. [R Civ S 1911 art 6585]

NOTE.—[Articles 1551-1554 of Revised Criminal Statutes 1911, Act of 1907, pages 113-114, relating to the hours of labor of railroad employees, are apparently superseded by articles 6584-6585 of Revised Civil Statutes 1911, Act of 1909, page 180, quoted above.]

Opinion.—If a railroad company permits its employees, who have worked 16 consecutive hours in Oklahoma, to continue their labor on its lines in Texas, it is guilty of a violation of the statute and incurs the penalty provided above.—Attorney General (1911).

Eight hours a day for telegraph or telephone operators; exceptions.—It shall be unlawful for any person, corporation or association, operating a railroad within this State, to permit any telegraph or telephone operator who spaces trains by the use of the telegraph or telephone under what is known and termed, "block system," defined as follows: Reporting trains to another office or offices, or to a train dispatcher operating one or more trains under signals, and telegraph or telephone levermen who manipulate interlocking machines in railroad yards, or on main tracks out on the lines connecting side tracks or switches, or train dispatchers in its service whose duties substantially, as hereinbefore set forth, pertain to the movement of cars, engines or trains on its railroad by the use of the telegraph or telephone, in dispatching or report-

[1] See court decision on page 7 (New York).

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ing trains, or receiving or transmitting train orders, as interpreted in this article, to be on duty for more than eight hours in any twenty-four consecutive hours: *Provided*, That the provisions of this article shall not apply to railroad telegraph or telephone operators at stations where the services of only one operator is needed. [R Civ S 1911 art 6586]

Penalty for violation of preceding article.—Any violation of the preceding article by any person, corporation or association, shall subject him or it to a penalty of one hundred dollars for each violation thereof * * *. [R Civ S 1911 art 6587]

Eight hours a day for telephone and telegraph operators; exceptions; penalty for operator.—It shall be unlawful for any railroad telegraph or telephone operator to work more than eight hours in twenty-four consecutive hours at such occupation; and any such operator, violating this article, shall pay a fine in any sum not less than twenty-five dollars nor more than one hundred dollars: *Provided*, That in case of an emergency, any operator may remain on duty for an additional two hours. [R Crim S 1911 art 1555]

Enforcement: duties of railroad commission.—It is hereby made the duty of such railroad commission to see that * * * all laws of this State concerning railroads are enforced and obeyed, and that violations thereof are promptly prosecuted, and penalties due the State therefor recovered and collected. And said commission shall report all such violations, with the facts in their possession, to the attorney general, or other officer charged with the enforcement of the laws, and request him to institute the proper proceedings; and all suits between the State and any railroad shall have precedence in all courts over all other suits pending therein. [R Civ S 1911 art 6675]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 15; machinery, sending to immoral places, etc.; penalty.—Any person, or any agent, or any employee of any person, firm or corporation who shall hereafter employ any child under the age of fifteen years to labor in or about any manufacturing or other establishment using dangerous machinery, or about the machinery in any mill or factory, or in any distillery, brewery, or to labor in any capacity in the manufacture of goods for immoral purposes, or where their health may be impaired or morals debased, or shall send any such child to any disorderly house, bawdy house, or assignation house, or having the control of such child, shall permit him or her to go to any such house, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty dollars nor more than two hundred dollars, and each day the provisions of this act are violated shall constitute a separate offense. [1911 C 46 s 1]

Court decision.—Under a former section on the above subject, employment of a child in violation thereof was held to be negligence per se.—Sterling *v.* Bettis Mfg. Co., 159 S. W. 915 (1913).

Opinion.—The words "in or about" as used in this statute, mean that the prohibition is against employing children either in buildings where dangerous machinery is in operation or near enough to such dangerous machinery as would by any possibility lead to an injury to a child so employed.—Attorney General (1911).

Enforcement: powers of commissioner of labor statistics.—Such person, firm or corporation, or any agent thereof, shall give free access at all times to the commissioner of labor statistics of the State of Texas, and his deputies, for the inspection of their premises and of the methods employed, to insure compliance with the provisions of the foregoing section. [1911 C 46 s 1a]

MINES, ETC.

MINIMUM AGE

Employment under 17 prohibited; penalty.—Any person, agent, or any employee of any person, firm or corporation, who shall hereafter employ any child under the age of 17 years to labor in or about any quarry or mine shall be punished as provided for in section 1 of this act. [1911 C 46 s 2]

Enforcement: powers of commissioner of labor statistics.—Such person, firm or corporation, or any agent thereof, shall give, free access at all time to the commissioner of labor statistics of the State of Texas, and his deputies, for the inspection of their

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premises and of the methods employed, to insure compliance with the provisions of the foregoing section. [1911 C 46 s 2a]

NOTE.—[Articles 5923–5946 of the Revised Civil Statutes 1911 make provision for the inspection of coal mines, but the duties of the inspector, which are specifically mentioned, relate only to safety and sanitation.]

EDUCATIONAL REQUIREMENTS—ALL OCCUPATIONS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 14.—Every child in this State who is eight years and not more than fourteen years old shall be required to attend the public schools in the district of its residence, or in some other district to which it may be transferred, as provided by law, for a period of not less than sixty days for the scholastic year, beginning September 1, 1916, and for a period of not less than eighty days for the scholastic years beginning September 1, 1917, and for the scholastic year 1918–19, and each scholastic year thereafter a minimum attendance of 100 days shall be required. The period of compulsory school attendance at each school shall begin at the opening of the school term unless otherwise authorized by the district school trustees and notice given by the trustees prior to the beginning of such school term: *Provided*, That no child shall be required to attend school for a longer period than the maximum term of the public school in the district where such child resides. [1915 C 49 s 1]

Children from 12 to 14 exempted on account of poverty under certain conditions; other exemptions.—The following classes of children are exempt from the requirements of this act:

(a) Any child in attendance upon a private or parochial school or who is being properly instructed by a private tutor.

(b) Any child whose bodily or mental condition is such as to render attendance inadvisable, and who holds definite certificate of a reputable physician specifying this condition and covering the period of absence.

* * * * * * *

(d) Any child living more than two and one-half miles by direct and traveled road from the nearest public school supported for children of the same race and color of such child, and with no free transportation provided.

(e) Any child more than twelve years of age who has satisfactorily completed the work of the fourth grade of a standard elementary school of seven grades, and whose services are needed in support of a parent or other person standing in parental relation to the child, may, on presentation of proper evidence to the county superintendent of public instruction, be exempted from further attendance at school. [1915 C 49 s 2]

Employment under 14 prohibited during school hours; exemptions; penalty.—No child under fourteen years of age not lawfully excused from attendance upon school shall be employed by any one during the school hours in any occupation during the period which the child is required to be in school, as provided by this act. Any person, firm or corporation found guilty of employing any child or any person inducing any child to remain out of school who is subject to the provisions of this act shall be fined not to exceed ten dollars for each offense, and each day that said child is employed after due notice given by any school official that said child can not be legally employed shall constitute a separate offense. [1915 C 49 s 5]

Enforcement: appointment of attendance officers.—The county school trustees of any county having a scholastic population of more than three thousand may elect a school attendance officer for said county upon petition of at least fifty resident freeholders of said county setting forth reasons good and valid in the judgment of the county school trustees why said county shall have an attendance officer: *Provided*, That a public hearing shall be had on said petition after due notice of such hearing shall have been given by publishing said notice in a newspaper published at the county seat for three consecutive weeks, if there be such a newspaper, and if there be no such newspaper, then by posting written or printed notices in at least three public places within the county, one of which notices shall be posted at the courthouse door of said county, and if, after said hearing of said county board of trustees, in their judgment said county board of trustees believe that a school attendance officer is necessary to the proper enforcement of the provisions of this act, and that the schools of said county will be benefited by having said attendance officer, the said board may elect such officer as herein provided. The board of trustees of any independent district having a scholastic population of more than two thousand

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may, after being petitioned and having hearing on said petition, as provided in this section for election of county attendance officer, elect an attendance officer for siad independent district, if, in the judgment of said board of trustees, said attendance officer is necessary to the proper enforcement of the provisions of this act. * * * In any county or independent district where such attendance officer is not elected as provided for in this section, the duties of said attendance officer shall devolve upon the school superintendents and peace officers of such county or district who shall perform the duties of such attendance officer without additional pay. Counties or independent school districts which may avail themselves of the option to elect school attendance officers may elect the probation officer or some officer or officers of the juvenile court of said county to serve as such attendance officer for said county or for said independent district or independent districts located in said county. [1915 C 49 s 6]

Enforcement: powers of attendance officers.—The person or persons performing the duties of attendance officer or officers for any county or district shall have power to investigate all cases of unexcused absences from school, to make and file in the proper court complaint in due form against any person or persons violating the provisions of this act, to administer oaths and to serve legal process, to enforce the provisions of this act, to keep records of all cases of any kind investigated by him in the discharge of his duties, and to make reports of his work as the State superintendent may require: *Providing*, That nothing in this act shall be construed to authorize any attendance officer to invade or enter without permission of the owner or tenant thereof, or the head of any family residing therein, any private home, or private residence, or any room or apartment thereof, except to serve lawful process upon any parent, guardian or other person standing in parental relation to any child affected by this act, or to forcibly take corporal custody of any child anywhere without permission of the parent or guardian thereof, or other person standing in parental relation to such child, except in obedience to valid process issued by a court of competent jurisdiction: *And provided*, That otherwise than as hereinbefore provided, such attendance officer shall have the power to enforce the provisions of this act. [1915 C 49 s 7]

Enforcement: duties of county superintendent of public instruction, principals, teachers, etc.—It shall be the duty of the county superintendent of public instruction to furnish to the superintendent of schools of each school district in the county, and to the principal of the school in case there be no superintendent, a complete list of all children of scholastic age belonging in said district, as shown by the last scholastic census and the record of transfers to and from said district. The superintendents and principals of the various schools of said county shall, within five days from the date that the provisions of the compulsory attendance act applies to said school, report to said county superintendent the names of all children subject to the provisions of this act who have not enrolled in said school, and it shall be the duty of the superintendent, principal or other official of private, denominational or parochial schools to furnish said county superintendent a list of all children of scholastic age enrolled in the school presided over by said official and the district in which said child was enumerated in the public school census. From the reports received from the superintendents and principals of the public schools and from the officials of the private, denominational and parochial schools, the county superintendent shall make up a complete list of all children within scholastic age enrolled in the various districts of said county who have not enrolled in some school and are [sic] complying with the compulsory attendance act, and said list shall be furnished to the authorities to whom has been delegated the power to enforce the provisions hereof for said county or district, which authorities shall proceed to carry out their respective duties as prescribed in section 6[1] of this act. All notices, forms and blanks to be used by any of the superintendents, principals or officials of any school shall be prescribed by the State superintendent of public instruction. It shall be the duty of any teacher giving instruction to any child within compulsory attendance age to report promptly to the attendance officer or other person acting in his stead as herein provided, any unexcused absences, for his action. [1915 C 49 s 8].

Enforcement: duties of attendance officers; penalty.—If any parent or person standing in parental relation to a child within the compulsory school attendance ages who is not properly excused from attendance upon school for some one or more of the exemptions provided in section 2 of this act fails to require such child to attend school

[1] The section referred to is probably section 7 or 9, as section 6 provides only for the appointment of truant officers.

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regularly for such period as is required in section 1 hereof, it shall be the duty of the attendance officer who has jurisdiction in the territory where said parent or person standing in parental relation resides, to warn such parent or person standing in parental relation, that the provisions of this act must be immediately complied with, and upon failure of said parent or person standing in parental relation to immediately comply with the provisions of this act after such warning has been given, the official discharging the duties of the attendance officer shall forthwith file complaint against such parent or person standing in parental relation to said child, which complaint shall be filed in the county court, or in the justice court in the precinct where such parent or guardian resides, and shall diligently prosecute same to its conclusion. Any parent or other person standing in parental relation upon conviction for failure to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and shall be fined for the first offense five dollars, and for the second offense ten dollars, and for each subsequent offense twenty-five dollars. Each day that said child remains out of school after said warning has been given or after said child has been ordered in school by the juvenile court, may constitute a separate offense. * * * [1915 C 49 s 9]

Constitutionality of act.—* * * In case it is declared by the courts that any section or provision of this act is unconstitutional, such decision shall not impair other sections or provisions of this act [1915 C 49 s 10]

MECHANICAL AND MERCANTILE ESTABLISHMENTS, FACTORIES, MINES, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day, 54 a week, in these establishments and in theaters, hotels, telegraph and telephone offices, etc.; stenographers and pharmacists excepted; other exceptions; compensation for overtime.—No female shall be employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theater or moving picture show, barber shop, telegraph, telephone or other office, express or transportation company, or any State institution, or any other establishment, institution or enterprise where females are employed, except as hereinafter provided, for more than nine hours in any one calendar day, nor more than fifty-four hours in any one calendar week: *Provided however*, That in case of extraordinary emergencies, such as great public calamities, or where it becomes necessary for the protection of human life or property, longer hours may be worked, but for such time not less than double time shall be paid such female with the consent of the said female: *Provided*, This act shall not apply to stenographers and pharmacists. [1915 C 56 s 1]

Eleven hours a day, extra compensation for more than 9, 54 a week, in laundries.—No female shall be employed in any laundry for more than fifty-four hours in one calendar week; the hours of such employment to be so arranged as to permit the employment of such female at any time so that she shall not work more than a maximum of eleven hours during the twenty-four hours' period of one day: *Provided*, That if such female is employed for more than nine hours in any one day she shall receive pay at the rate of double her regular pay for such time as she is employed for more than nine hours per day. [1915 C 56 s 1a]

Ten hours a day, extra compensation for more than 9, 60 a week, in establishments manufacturing cotton and woolen goods, etc.—No female shall be employed in any factory engaged in the manufacture of cotton, woolen or worsted goods or articles of merchandise manufactured out of cotton goods for more than ten hours in any one calendar day, nor for more than sixty hours in any one calendar week: *Provided*, That if such female is employed for more than nine hours in any one day she shall receive pay at the rate of double her regular pay for such time as she may be employed for more than nine hours per day. [1915 C 56 s 1b]

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every employer owning or operating any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theater or moving picture show, barber shop, telegraph or telephone or other office, express or transportation company, the superintendent of any State institution or any other establishment, institution or enterprise where females are employed, as provided by sections 1, 1a and 1b, shall provide

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and furnish suitable seats, to be used by such employes when not engaged in the active duties of their employment, and shall give notice to all such female employes by posting in a conspicuous place, on the premises of such employment in letters not less than one inch in height, that all such female employes will be permitted to use such seats when not so engaged. [1915 C 56 s 2]

PENALTIES AND APPLICATION OF ACT

Violation of act; act not to apply to certain establishments in rural districts and in certain cities.—Any employer, overseer, superintendent, foreman, or other agent of any such employer who shall permit any female to work in any of the places mentioned in sections 1, 1a and 1b more than the number of hours provided for in this act during any day of the [sic] twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females employed in the said places mentioned in sections 1, 1a and 1b so that they shall not work more than the number of hours provided for in sections 1, 1a and 1b of this act, during any day of twenty-four hours or the number of hours prescribed by this act in any one week, or who shall fail, neglect or refuse to provide suitable seats as provided in section 2 of this act shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be fined in any sum not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars and each day of such violation and each such female employee required or permitted to work more than the time provided in the various sections of this act shall constitute a separate offense: *Provided*, That the provisions of the law shall not apply to telegraph and telephone companies in rural districts and in cities or towns of less than 3000 inhabitants, as shown by the last Federal census: *Provided*, That the provisions of this act shall not apply to mercantile establishments in rural districts and in cities and towns and villages of less than 3000 inhabitants. [1915 C 56 s 3]

Constitutionality of act.—If any section or provision of this act is for any reason held or declared to be unconstitutional it shall not affect nor impair nor render invalid the rest of this act, and changing other sections to conform thereto. [1915 C 56 s 4]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places.—No [private employment] agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill fame or assignation house, or any house or place kept for immoral purposes. * * * [1915 C 108 s 3]

Enforcement: duties of commissioner of labor statistics; penalty.—It shall be the duty of the commissioner of labor statistics to enforce this act, and when informed of any violation thereof, it shall be his duty to institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. He may make such rules and regulations for the enforcement of this act not inconsistent therewith, as he may deem proper. * * * *Provided*, That any person or persons who shall send any female help or servants to any place of bad repute, house of ill fame or assignation house or any house or place kept for immoral purposes, shall be deemed guilty of a felony, and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than one thousand ($1000. 00) dollars nor more than five thousand ($5000.00) dollars, or by imprisonment in the penitentiary not less than two (2) years nor more than ten (10) years, or by both such fine and imprisonment. [1915 C 108 s 4]

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MINES, SMELTERS, ETC.

MINIMUM AGE

Legislature to prohibit employment of boys under 14 and girls of any age in underground mines.—The legislature shall prohibit: (1) The employment of women, or of children under the age of fourteen years, in underground mines. * * * [Constitution article 16 section 3]

HOURS OF LABOR

Eight hours a day; exceptions; misdemeanor.—The period of employment of working men in all underground mines or workings, and in smelters and all other institutions for the reduction or refining of ores or metals, shall be eight hours per day, except in cases of emergency, where life or property is in imminent danger. Any person, body corporate, agent, manager, or employer who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor.[1] [Compiled Laws 1907 section 1337]

Court decisions.—This section is constitutional.—Holden *v.* Hardy 18 Utah 383, 169 U. S. 366 (1898).
This section creates for the employee a legislative protection which is without his power to waive; an employee working more than eight hours violates the law, and the employer will not be required to pay for services rendered in excess of eight hours.—Short *v.* Mining Company, 20 Utah 20, 57 Pac. 720 (1899).

MINIMUM AGE

Employment of boys under 14 and girls of any age prohibited; misdemeanor.—It shall be unlawful for any person, firm, or corporation to employ any child under fourteen years of age, or any female, to work in any mine or smelter in the State of Utah. Any person, firm, or corporation who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor.[1] [C L 1907 s 1338]

NOTE.—[Sections 1507–1524 of the Compiled Laws of 1907 provide for an inspector of mines, but his duties relate only to health and safety.]

[1] For penalty for misdemeanor, see page 5 (Compiled Laws 1907, section 4065).

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STORES, HOTELS, RESTAURANTS, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted; misdemeanor.—The proprietor, manager, or person having charge of any store, shop, hotel, restaurant, or other place where women or girls are employed as clerks or help therein, shall provide chairs, stools, or other contrivances where such clerks or help may rest when not employed in the discharge of their respective duties. Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor.[1] [C L 1907 s 1339]

ALL OCCUPATIONS

WAGES

Payment to minor if contract with him alone.—When a contract for the personal services of a minor has been made with him alone, and those services are afterward performed, payment made therefor to such minor in accordance with the terms of the contract is a full satisfaction for those services, and the parent or guardian can not recover therefor a second time. [C L 1907 s 1544]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 18 in districts.—The board of education shall appoint suitable persons for each school representative precinct, who shall act as enumerators for school population for said precinct, and visit every house therein between the 15th and 31st of July of each year, and ascertain and enter upon the lists the name of every person between the ages of six and eighteen years residing in such precinct * * *. Such enumeration lists shall contain all information required by law and such other information as the State superintendent and the board of education may require. [C L 1907 s 1891x13]

Enumeration of children from 6 to 18 in cities.—The board of education shall appoint suitable persons for each ward, who shall act as enumerators for school population for said ward, and visit every house therein between the 15th and 31st days of July of each year, and ascertain and enter upon the lists the name of every person between the ages of six and eighteen years residing in such ward * * *. Such enumeration lists shall contain all information required by law and such other information as the State superintendent and the board of education may require. [C L 1907 s 1906]

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 16; exemption on account of poverty; other exemptions.—Every parent, guardian, or other person having control of any child between eight and sixteen years of age shall be required to send such child to a public, district, or private school in the district in which he resides, at least twenty weeks in each school year, ten weeks of which shall be consecutive: *Provided*, That in cities of the first and of the second class such children shall be required to attend school at least thirty weeks in each school year, ten of which shall be consecutive: *Provided*, That in each year such parent, guardian, or other person having control of any child shall be excused from such duty by the school board of the district or the board of education of the city, as the case may be, whenever it be shown to their satisfaction that one of the following reasons exists: 1. That such child is taught at home in the branches prescribed by law for the same length of time as children are required by law to be taught in the district school; 2. That such child has already acquired the branches of learning taught in the district schools; 3. That such child is in such physical or mental condition (which may be certified by a competent physician if required by the board) as to render such attendance inexpedient or impracticable. If no such school is taught the requisite length of time within two and one-half miles of the residence of the child by the nearest road, such attendance shall not be enforced; 4. That such child is attending some public, district, or private school; 5. That the services of such child are necessary to the support of a mother or an invalid father. The evidence of the existence of any of these reasons for non-attendance must be in each case sufficient

[1] For penalty for misdemeanor, see page 5 (Compiled Laws 1907, section 4065).

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to satisfy the superintendent of the county or city in which the child resides; and the superintendent, upon the presentation of such evidence, shall issue a certificate stating that the holder is exempted from attendance during the time therein specified. [C L 1907 s 1962]

Penalty; misdemeanor.—Any such parent, guardian, or other person having control of any child between eight and sixteen years of age, who willfully fails to comply with the requirements of the next preceding section, shall be guilty of a misdemeanor.[1] [C L 1907 s 1963]

Enforcement: duties of school authorities, city attorneys, etc.—It shall be the duty of the president of the board of education of any city, and the chairman of the school trustees of any district, within their respective jurisdictions, to inquire into all cases of misdemeanor defined in this title, and to report the same and the offenders concerned, when known, to the city or county attorney of the city or county within which the offenses shall have been committed, and it is hereby made the duty of either of said officers to proceed immediately to prosecute such offenders. [C L 1907 s 1964]

ALL OCCUPATIONS

WAGES

Wages of minor child of debtor.—The earnings of any minor child of any debtor within this State and the proceeds thereof are exempt from execution against such debtor by reason of any debts or liability of such debtor, not contracted for the special benefit of such minor child. [C L 1907 s 3243]

ALL REGULATED OCCUPATIONS

PENALTIES

Misdemeanor.—Except in cases where a different punishment is prescribed by law, every offense declared to be a misdemeanor is punishable by imprisonment in a county jail not exceeding six months, or by a fine in any sum less than $300, or by both. In all cases where a corporation is convicted of an offense for the commission of which a natural person would be punishable as for a misdemeanor, and there is no other punishment prescribed by law, such corporation is punishable by a fine not exceeding $1,000. [C L 1907 s 4065]

IMMORAL OCCUPATIONS AND PUBLIC EXHIBITIONS.

MINIMUM AGE

Employment of girls of any age in playing on musical instruments in saloons, etc., prohibited; penalty for employer, employee, etc.—Every person who causes, procures, or employs any female to play for hire, drink, or gain upon any musical instrument in any drinking saloon, dance room, or dance cellar, public garden, or any public highway, common, or street, or on a vessel, steamboat, or railroad car, or in any lewd house, or disorderly place whatsoever, where two or more persons are assembled together, is punishable by fine in any sum less than $300, or by imprisonment in the county jail not exceeding three months, or by both; and any female so playing upon any musical instrument whatsoever is punishable by fine not exceeding $100, or by imprisonment in the county jail not exceeding one month, or by both. [C L 1907 s 4243]

Employment of girls of any age in dancing in saloons, etc., prohibited; penalty for employer, employee, etc.—Every person who causes or procures or employs any female to dance, promenade, or otherwise exhibit herself for hire, drink, or gain in any drinking saloon, dance cellar, or dance room, public garden, public highway, or in any place whatsoever, theaters excepted, where two or more persons are assembled together, is punishable by a fine in any sum less than $300, or by imprisonment in the county jail not exceeding three months, or by both; and every female so dancing, promenading, or exhibiting herself is punishable by fine not exceeding $100, or by imprisonment in the county jail not exceeding one month, or by both. [C L 1907 s 4244]

[1] For penalty for misdemeanor, see page 5 (Compiled Laws 1907, section 4065).

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Employment agencies forbidden to send girls to immoral places; penalty.—Any employment agent who shall knowingly send out any female help to any place of bad repute, house of ill fame or assignation house, or to any house or place of amusement kept for immoral purposes, shall be liable to pay a fine of not less than one hundred dollars ($100), and shall be imprisoned not less than ninety days and on conviction thereof, in any court, shall have his, its or their license rescinded. [1909 C 21 s 6]

INTOXICATING LIQUORS

MINIMUM AGE

Penalty; revocation of license.—The district court of the several counties in which cities of the first and second class may be situated, city councils of cities of the third class, board of trustees or board of county commissioners, for violation of any of the provisions of this act * * * may revoke a license granted within the city, town or county, as the case may be. * * * [1911 C 106 s 10]

Employment under 21 in saloons, etc., prohibited.—No holder of a license for the sale at retail of intoxicating liquors shall employ any person under the age of twenty-one years to serve such liquors to be drunk on the premises. [1911 C 106 s 23]

Employment under 21 in bottling establishments, etc., prohibited.—No person, partnership or corporation shall employ a minor under the age of twenty-one years in handling intoxicating liquors or packages containing such liquors in a brewery or bottling establishment, in which such liquors are prepared for sale or offered for sale. [1911 C 106 s 24]

Employment of girls of any age prohibited.—The licensed premises shall be conducted in a quiet, orderly manner; * * * no female shall be employed in the place * * *. [1911 C 106 s 28]

Penalty.—Any natural person who shall in any way violate any of the provisions of this act shall be guilty of a misdemeanor, and shall be punished, when not otherwise provided in this act by a fine of not less than fifty dollars nor more than two hundred ninety-nine dollars, or by imprisonment in the county jail for not less than thirty days, or more than six months, or by both such fine and imprisonment. If any natural person shall be convicted a second time for violating any of the provisions of this act, such person shall be punished for such second and each subsequent violation by both such fine and imprisonment. If any corporation shall, in any way, violate any of the provisions of this act it shall be guilty of a misdemeanor and shall be punished, when not otherwise provided in this act, by a fine of not less than one hundred dollars nor more than one thousand dollars; and if any corporation shall be convicted a second time for violating any of the provisions of this act, it shall be punished for such second and each subsequent violation of the law by a fine of not less than three hundred dollars nor more than five thousand dollars. In case of conviction of a licensed dealer, whether a natural person or corporation, of violation of any of the provisions of this act, the judge or justice, in addition to imposing the penalty aforesaid, shall also declare the license of such licensee forfeited. If any license shall be forfeited, upon conviction, as provided in this section, no license shall be thereafter granted for the sale of intoxicating liquors to the person holding such license or to any partnership in which he is or may become interested, directly or indirectly, and no license shall be granted for the period of three months for the sale of intoxicating liquor in the place designated as the place of sale in the license so revoked. [1911 C 106 s 65]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Appointment of commissioner of immigration, labor and statistics; female deputy.—It shall be the duty of the governor, by and with the consent of the senate, to appoint a competent person a commissioner of immigration, labor and statistics, who shall have charge of said bureau, and who shall hold office for a term of two years, or until his successor shall have qualified. * * * The commissioner shall have power to appoint two deputy commissioners, one of whom shall be a woman * * *. [1911 C 113 s 2 as amended by 1915 C 63]

Duties and powers of commissioner; hindering inspectors, etc., prohibited; penalty.—It shall be the duty of the commissioner and his deputies to investigate and report to

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the proper authorities all violations of law regarding the conditions surrounding the employment of children, minors and women and the laws established for the protection of all employees in factories, mines, mills, and other institutions where labor is employed, and to make such recommendation in relation thereto as they may deem proper for the protection of employees; in case any owner or occupant, or their agent, shall refuse to admit any officer of said bureau to their workshop or factory, mine or smelter, store or hotel, when open or in operation, or shall refuse to submit their pay roll or register showing the number of hours each employee works, or shall willfully give false information concerning the same, they shall be deemed guilty of a misdemeanor for each and every offense, and upon conviction thereof shall be subject to a fine of not more than fifty dollars, nor less than ten dollars, or by [to] imprisonment not to exceed fifteen days, or by [to] both fine and imprisonment. [1911 C 113 s 4 as amended by 1913 C 76]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Nine hours a day, 54 a week; exceptions.—No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment, hospital or office, or by any express or transportation company in this State, more than nine hours during any one day, or more than fifty-four hours in any one week, except in cases of emergency in hospitals and in cases of emergency or where life or property is in imminent danger or where materials are liable to spoil by the enforcement of this act. [1911 C 133 s 1]

Penalty.—Any person or persons, corporation or other association engaged in conducting or operating any of the business institutions or enterprises set forth in the foregoing section, requiring or employing any female to work longer than the period of nine hours constituting a day's labor, except as above provided, or more than fifty-four hours in any one week shall be guilty of a misdemeanor, and, upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars, and costs of prosecution. [1911 C 133 s 2]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Specific occupations prohibited under 14; dangerous processes, places where alcoholic liquors are manufactured, etc., mines, saloons, theaters, etc.—No child under the age of fourteen years shall be employed, permitted or suffered to work in any capacity in, about or in connection with the preparing of any composition in which dangerous or poisonous acids are used—manufacture of paints, colors or white lead; manufacturing, packing or storing powder, dynamite, nitroglycerin compounds, fuses or other explosives; manufacture of goods for immoral purposes; or in any quarry, any mine, coal breaker, laundry, tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared, cigar store or stand or in any cigar or tobacco store or place where tobaccos are sold at wholesale or retail; distillery, brewery or any other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled; theater, concert hall, saloon or pool room, or in operating any automobile, motor car or truck; in the running or management of elevators, lifts or hoisting machines; or in bowling alleys, or in any other employment declared by the State board of health to be dangerous to lives or limbs, or injurious to the health or morals of children under the age of fourteen. [1911 C 144 s 1 as amended by 1915 C 61]

NOTE.—[See section 24, chapter 106 of the Acts of 1911, prohibiting the employment of minors under 21 in handling intoxicating liquors in breweries or bottling establishments.]

REGULATED OCCUPATIONS

EMPLOYMENT CERTIFICATES AND RECORDS

School authorities to issue certificates; exceptions; school record required.—An employment certificate shall be issued only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized by the school board: *Provided*, That no member of a school board

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or other person authorized as aforesaid shall have the authority to issue such certificate for any child then in or about to enter such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee: *Provided*, That no such certificate shall be issued until the person issuing the same shall have received, examined and approved the school record of such child. [1911 C 144 s 2]

Method of issuing; educational requirements.—No employment certificate shall be issued until the child in question has personally appeared before and been examined by the officer issuing the certificate, nor until such officer, after making such examination, has signed and filed in his office a statement that the child can read and legibly write simple sentences in the English language. [1911 C 144 s 3]

Method of issuing and contents of school records.—The school record required by this act shall be signed by the principal or chief executive officer of the school which such child has attended, and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has attended the public schools or parochial schools equivalent thereto for not less than one hundred days during the year previous to his arriving at the age of fourteen years, or during the year previous to applying for such school record, and is able to read and write simple sentences in the English language. [1911 C 144 s 4]

AGE EVIDENCE

Evidence of age may be required for child apparently under 14; enforcement: duties and powers of inspectors, truant officers, etc.—Any authorized inspector or the truant officer[1] shall make demand on any employer in or about whose place or establishment a child apparently under the age of fourteen years is employed or permitted or suffered to work, and require such employer to furnish him within ten days satisfactory evidence that such child is in fact over fourteen years of age, or shall cease to employ or permit or suffer such child to work in such factory. [1911 C 144 s 5]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls under 21 in places of amusement, etc., where alcoholic liquors are manufactured, etc., prohibited.—No female under the age of twenty-one years shall be employed, permitted or suffered to work in, about or in connection with any restaurant, resort or place of amusement where alcoholic liquors are manufactured or dispensed. [1911 C 144 s 6]

NOTE.—[See section 28, chapter 106 of the Acts of 1911, prohibiting the employment of any female in saloons, etc.]

MESSENGERS IN CITIES

MINIMUM AGE AND HOURS OF LABOR

Night work prohibited under 21; sending minors under 21 to immoral places prohibited.—In cities of the first or second class no person under the age of twenty-one years shall be employed or permitted to work as a messenger for a telegraph or a messenger company in the distribution, transmission or delivery of goods or messages before 5 o'clock in the morning or after 9 o'clock in the evening of the day. And no person under the age of twenty-one years shall be permitted to deliver messages or goods to, or required to visit, in the course of any employment, any house of ill repute, or saloon, or gambling house, or other places of objectionable character which have been disapproved by the juvenile court. [1911 C 144 s 7]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Fifty-four hours a week for boys under 14 and girls under 16; farm, domestic work, and fruit and vegetable packing excepted.—No boy under the age of fourteen years and no girl under the age of sixteen years shall be employed, permitted or suffered to work at any gainful occupation other than domestic service, fruit or vegetable packing or work on a farm more than fifty-four hours in any one week. [1911 C 144 s 8]

[1] Provision for appointment of truant officers is made by section 1891x51, Compiled Laws 1907.

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STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 12 and girls under 16 in selling newspapers, etc., prohibited; employment under 12 as bootblack prohibited.—No male child under twelve and no girl under sixteen years of age shall, in any city of the first or second class, sell or expose or offer for sale newspapers, magazines, periodicals or other merchandise in any street or public place. No child shall work as a bootblack in any street or public place unless he is over twelve years of age. [1911 C 144 s 9]

PERMITS

Permits required from 12 to 16; school authorities to issue permits; age, school, and health records required.—No male child under sixteen years of age shall sell or expose or offer for sale in any street or public place any of the articles mentioned in section 9 or work as a bootblack therein, unless a permit as hereinafter provided shall have been issued to him by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized by the school board on the application of the parent, guardian or other person having the custody of the child desiring such permit or in case said child has no parent, guardian or custodian, then on the application of his next friend, being an adult. Such permit shall not be issued until the officer issuing the same shall have received, examined, approved and placed on file in his office satisfactory proof that such male child is of the age of twelve years or upwards, and shall also have received, examined and placed on file the written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school, that he is of the normal development of a child of his age and physically fit for such employment, and that said principal or chief executive officer approves the granting of a permit to such child. [1911 C 144 s 10]

Contents of permit.—Such permit shall state the name and address of its parent, guardian, custodian or next friend, as the case may be, and shall describe the color of the hair and eyes, the height and weight and any distinguishing facial mark of such child. [1911 C 144 s 11]

HOURS OF LABOR

Night work prohibited under 16.—No child to whom a permit is issued as provided for in section 10 of this act shall work as a bootblack, sell or expose or offer for sale any newspapers, magazines, periodicals or other merchandise in any street or public place after 9 o'clock in the evening. [1911 C 144 s 12]

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTIES

Failure to produce proof of age evidence of illegal employment.—In case any employer shall fail to produce and deliver to an authorized inspector or truant officer, within ten days after demand made pursuant to section 2 of this act, the evidence of age therein required,[1] and shall thereafter continue to employ such child or permit or suffer such child to work in such place or establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor. [1911 C 144 s 13]

Illegal employment; employer, parent, etc.—Whoever employs any child, and whoever having under his control as a parent, guardian or otherwise, any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act, shall for such offense be fined not less than twenty-five dollars nor more than two hundred dollars, or be imprisoned for not less than ten days nor more than thirty days, or both, in the discretion of the court. [1911 C 144 s 14]

Powers of juvenile courts.—The juvenile court or courts of like jurisdiction of the State of Utah is [are] hereby given jurisdiction in all cases arising under this act. [1911 C 144 s 15]

[1] Section 2 of this act provides only for a school record; it contains no provision for evidence of age. The section referred to is probably section 5.

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ALL OCCUPATIONS

MINIMUM WAGE FOR GIRLS

Specified minimum wage for females.—It shall be unlawful for any regular employer of female workers in the State of Utah to pay any woman [female] less than the wage in this section specified, to wit: For minors, under the age of eighteen years, not less than seventy-five cents per day; for adult learners and apprentices not less than 90 cents per day: *Provided*, That the learning period or apprenticeship shall not extend for more than one year; for adults who are experienced in the work they are employed to perform, not less than one dollar and twenty-five cents per day. [1913 C 63 s 1]

Certificate of apprenticeship.—All regular employers of female workers shall give a certificate of apprenticeship for time served to all apprentices. [1913 C 63 s 2]

Payment of less than minimum wage a misdemeanor.—Any regular employer of female workers who shall pay to any woman [female] less than the wage specified in section 1 of this act shall be guilty of a misdemeanor.[1] [1913 C 63 s 3]

Enforcement: duties and powers of commissioner of immigration, labor, and statistics, etc.—The commissioner of immigration, labor and statistics shall have general charge of the enforcement of this act, but violations of the same shall be prosecuted by all the city, State and county prosecuting officers in the same manner as in other cases of misdemeanor. [1913 C 63 s 4]

MERCANTILE AND COMMERCIAL ESTABLISHMENTS IN CITIES

HOURS OF LABOR

Remaining open later than 6 p. m. prohibited; 6 days preceding Christmas excepted.—All mercantile and commercial houses, either wholesale or retail, or both, in the cities of ten thousand population and over, shall close at six o'clock in the evening of every business day of the year, except for the period of six business days immediately preceding December 25th of each year. [1915 C 23 s 1]

Establishments handling perishable foodstuffs, etc., excepted.—This act exempts all commercial and mercantile houses that deal exclusively in, or whose major portion of stock consists of foodstuffs, meats and other provisions of a perishable nature; which are regarded as, and are, public necessities. [1915 C 23 s 2]

Drug stores excepted.—This act also exempts drug stores, which are regarded as, and are public necessities. [1915 C 23 s 3]

Violation a misdemeanor.—Any violation of this act shall be a misdemeanor.[1] [1915 C 23 s 4]

Application of act.—The terms mercantile and commercial houses shall mean the owners and executive managers of such against whom information may be filed jointly or severally to carry into effect the penalties provided for violation of this act. [1915 C 23 s 5]

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[1] For penalty for misdemeanor, see page 5 (Compiled Laws 1907, section 4065).

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MANUFACTURING ESTABLISHMENTS, MINES, ETC.

MINIMUM AGE, HOURS OF LABOR, AND EMPLOYMENT CERTIFICATES

Employment under 16 prohibited during school hours under certain conditions; certificates required for all children; school authorities to issue certificates; 9 hours a day, 50 a week, and night work prohibited, under 16.—A child under sixteen years of age, who has not completed the course of study prepared for the elementary schools by the superintendent of education, shall not be employed in work connected with railroading, mining, manufacturing or quarrying, or be employed in a hotel or bowling alley, or in delivering messages, except during vacation and before and after school. No child shall be employed in any of the occupations or industries herein enumerated unless such child deposits with his employer a certificate from the town or union superintendent to the effect that he is eligible to employment in accordance with the provisions of this chapter; and no child under sixteen years of age shall be employed for more than nine hours each day, or more than fifty hours in any one week or earlier than seven o'clock in the morning, or after eight o'clock at night in any of the occupations or industries herein enumerated. In case such child has been in attendance upon a private or parochial school, said superintendent may examine such child for the purpose of determining his eligibility to employment in accordance with this section. [P S 1906 C 50 s 1044 as amended by 1912 No 75 s 10]

FACTORIES, MILLS, WORKSHOPS, ETC.

ENFORCEMENT

Duties and powers of superintendents and truant officers.—The town or union superintendent or truant officer may inquire of the owner or superintendent of a mill, factory, quarry, workshop, hotel, bowling alley, or railroad office, shop or yards, as to the employment of children therein, may call for the production of certificates deposited with such owner or superintendent, and satisfy himself that the requirements of law have been complied with. Said superintendent shall at least three times, during any school year, inquire and investigate concerning the employment of children in any of the occupations enumerated in this act [s 1044–1050], and shall require the provisions of the law to be carried into effect. [P S 1906 C 50 s 1045 as amended by 1912 No 75 s 11]

MINIMUM AGE

Employment under 14 prohibited under certain conditions.—No child under fourteen years of age shall be employed, permitted or suffered to work for or in or about or in connection with any mill, factory, quarry or workshop, wherein are employed more than ten persons. [P S 1906 C 50 s 1046 as amended by 1912 No 75 s 12]

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REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTY

Employment contrary to act prohibited.—No person having a child under his control shall allow him to be employed contrary to the provisions of this chapter. [P S 1906 C 50 s 1047]

Violation of act.—A person who violates a provision of chapter 50 [s 1044–1050] of the Public Statutes or of this act [1910 No 70] shall be fined not less than five dollars nor more than two hundred dollars for each offense, and upon a second conviction, may be so fined or imprisoned for not more than six months. [P S 1906 C 50 s 1048 as amended by 1910 No 70 s 8]

Powers of truant officers, etc.—* * * Truant officers and all informing officers are authorized to make complaints for violations of * * * [this chapter]. [P S 1906 C 50 s 1049]

MANUFACTURING ESTABLISHMENTS

APPRENTICESHIP AND ENFORCEMENT

Duties and powers of selectmen.—The selectmen shall inquire into the treatment of minors employed in manufacturing establishments in their respective towns; and if, in their opinion, * * * any such minor is * * * compelled to labor at unreasonable hours or times, or in an unreasonable manner, they shall, if such minor is not a servant or apprentice bound under the provisions of this chapter, and if he has no parent or guardian residing in this State, discharge him from such employment, and, with his consent, bind him as a servant or apprentice to some other person * * *. [P S 1906 C 151 s 3247]

INTOXICATING LIQUORS[1]

MINIMUM AGE

Employment of boys under 21 and girls of any age in saloons prohibited.—Licenses shall be subject to the following conditions: * * * That no female, or person under the age of twenty-one, shall be employed in such barroom. * * * [P S 1906 C 219 s 5130 as amended by 1908 No 128 s 2 and by 1912 No 197]

Penalty: revocation of license.—A license may be revoked by the board of license commissioners for a violation of a provision of this chapter, and shall be revoked and become void for any of the following causes: * * * Breach of a condition of a license as specified on the face thereof [specified in section 5130 as amended by 1908 No 128 s 2 and by 1912 No 197]. * * * [P S 1906 C 219 s 5160]

Enforcement: duties of police officers, etc.—A constable, police officer, sheriff or deputy sheriff shall forthwith make complaint to said board [of license commissioners] of a violation of a provision of this chapter observed by him or brought to his attention. [P S 1906 C 219 s 5170]

Enforcement: complaints by citizens.—A citizen who personally observes a violation of a provision of this chapter by a licensee * * * may make complaint to said board. [P S 1906 C 219 s 5171]

Enforcement: duties and powers of board of license commissioners.—When complaint is made under the two preceding sections, said board shall forthwith investigate and ascertain if the same is well founded. If probable cause is found for proceeding against a licensee for a violation of his license or of a provision of this chapter, said board shall issue a summons to such licensee to appear and show cause why his license should not be revoked. * * * [P S 1906 C 219 s 5172]

General penalty.—A person who willfully violates a provision of this chapter for which no penalty is prescribed shall be imprisoned not more than three months nor less than one month, or fined not more than two hundred dollars nor less than fifty dollars, or both. [P S 1906 C 219 s 5215]

[1] Section 56 of Act No. 171 of the Acts of 1915, entitled "An Act to Prohibit the Sale of Intoxicating Liquors," repeals chapter 219 of the Public Statutes, as amended, but section 57 of the same act further provides: "This act shall take effect on the first day of May A. D. 1916, provided that a majority of the ballots to be cast as hereinafter provided [by popular vote in 1916] shall be YES, and provided that, if a majority of the ballots to be cast as hereinafter provided shall be NO, then this act shall take effect on the first day of May, A. D. 1927."

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DANGEROUS AND INJURIOUS OCCUPATIONS

MINIMUM AGE

Specific occupations prohibited under 16; machinery, dangerous processes, etc.—No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Sewing machine belts in any workshop or factory, or assisting therein in any capacity whatever; adjusting any belt to any machinery; oiling, wiping or cleaning machinery or assisting therein; operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery, picker machines, machines used in picking wool, machines used in picking cotton, machines used in picking hair, machines used in picking any upholstering material, paper-lacing machines, leather-burnishing machines, burnishing machines in any tannery or leather manufactory, job or cylinder printing presses operated by power other than foot power, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines used in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, corrugating rolls, such as are used in roofing and washboard factories, steam boilers, steam machinery, or other steam generating apparatus, dough brakes, or cracker machinery of any description, wood or iron straightening machinery, rolling mill machinery, punches or shears, washing, grinding or mixing mills, calendar [calender] rolls in rubber manufacturing, or laundering machinery; preparing any composition in which dangerous or poisonous acids are used; manufacture of paints, colors or white lead; cigar factory, or other factory where tobacco is manufactured or prepared. [1910 No 70 s 2]

FACTORIES, MILLS, WORKSHOPS, ETC.

MINIMUM AGE AND SEATS FOR GIRLS

Seats to be provided and their use permitted in these establishments, and constant standing prohibited in any occupation, for girls under 18.—Females under the age of eighteen years shall not be employed, permitted or suffered to work in any capacity where such employment compels them to remain standing constantly. Every person who shall employ any female under the age of eighteen in any place or establishment mentioned in section one [P S 1906 C 50 s 1046 as amended by 1910 No 70 s 1 and by 1912 No 75 s 12] shall provide suitable seats, chairs or benches for the use of the females so employed, which shall be so placed as to be accessible to said employees; and shall permit the use of such seats, chairs or benches by them when they are not necessarily engaged in the active duties for which they are employed, and there shall be provided at least one chair to every three females. [1910 No 70 s 3]

ALL OCCUPATIONS

AGE CERTIFICATES

Certificates required under certain conditions.—An employer may and upon written request of the town or city grand juror, the State's attorney or the attorney general, shall require the parent, guardian or custodian of any minor in his employ to sign and furnish a certificate showing when and where such minor was born. [1910 No 70 s 4]

Employment without certificate prohibited.—No person having a minor under his control shall allow him to be employed after the certificate required by the preceding section has been requested by the employer, until the same has been furnished; and no employer shall after such certificate has been requested by any of the officers named in the preceding section, further employ such minor until the certificate has been furnished and not afterward if it shall appear from such certificate that the further employment is in violation of this act or of chapter 50 of the Public Statutes. [1910 No 70 s 5]

Penalty; employer.—An employer who shall fail to comply forthwith with the request of any officer, as provided in the second preceding section, so far as he is able, or who shall further employ a minor child in violation of the last preceding section, shall be subject to the penalties provided by section 1048 of the Public Statutes, as amended by this act. [1910 No 70 s 6]

Penalty; parent.—A parent, guardian or custodian of a minor child who shall make any false statement in any certificate required by the third preceding section shall be punished as provided in section 1048 of the Public Statutes as amended by this act. [1910 No 70 s 7]

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Evidence of age.—A person having control of a child and claiming exemption from the laws requiring school attendance on account of age of such child, asking admission of such child to a public school, or seeking an employment certificate for such child, shall, when required by the town or union superintendent, or by an employer, furnish evidence of the age of such child. [1910 No 69 s 4 as amended by 1912 No 75 s 2]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS

HOURS OF LABOR

Eleven hours a day, 58 a week, for boys under 18 and girls of any age.—No child under eighteen years of age and no woman shall be employed in laboring in a manufacturing or mechanical establishment more than eleven hours in any one day and fifty-eight hours in any one week. [1912 No 85 s 1]

Hours to be posted; violation of act; exceptions.—An employer shall post in a conspicuous place in every room in which such persons are employed, a printed notice stating the number of hours' work required of them on each day of the week, the hours of commencing and stopping work, and the hours when the time allowed for meals begins and ends. The printed forms of such notices shall be provided by the secretary of state, after approval by the attorney general. The employment of such persons at any time other than as stated in said printed notice shall be deemed a violation of the provisions of this act, unless it appears that such employment was to make up time lost on a previous day of the same week, in consequence of the stopping of machinery upon which such woman or child was employed, or dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such employment at a time not stated in such notices. [1912 No 85 s 2]

Penalty for parent, employer, etc.; evidence of age.—A parent, guardian or other person who permits a minor under his control to be employed in violation of the provisions of this act shall be punished by a fine of not more than one hundred dollars. A person who, either for himself or as superintendent, overseer or agent for another, employs any person in violation of the provisions of this act or fails to post the notice required by this act shall be punished by a fine of not less than fifty nor more than one hundred dollars. A certificate of the age of a minor made and sworn to by him and by his parent or guardian at the time of his employment in a manufacturing or mechanical establishment shall be prima facie evidence of his age in any prosecution under the provisions of this section. [1912 No 85 s 4]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of factory inspector and State's attorney.—* * * Whenever said [State factory] inspector finds a violation of the provisions of this act and of the law relating to the employment of children, minors and women, to health, lives and limbs of operatives in workshops and factories, railroads and other places, to the payment of wages and to the protection of the working classes, he shall submit the evidence thereof to the State's attorney of the county in which such violation occurred who shall thereupon prosecute the offender. [1912 No 188 s 2 as amended by 1915 No 1 s 216]

Powers of factory inspector; penalty for hindering inspectors, etc.—Said inspector may enter any factory, mill, workshop, private works or State institutions which have shops or factories, when the same are open or in operation, and [sic] to examine into the methods of protection from danger to employees and the sanitary condition in and around such buildings and places, and to make a record of such inspection. A person who refuses to allow the inspector to so enter, or refuses to give the information authorized to be obtained under the provisions of this section shall be fined not more than one hundred dollars, or be imprisoned not more than ninety days, or both. * * * [1912 No 188 s 3]

Definitions.—The following expressions used in this act shall have the following meanings: The term "factory" shall mean any premises where steam, water or other mechanical power is used in aid of any manufacturing process therein carried on. The term "workshop" shall mean any premises, room or place, not being a factory as above defined, wherein manual labor is exercised by way of trade, or for the purpose of gain in or incidental to any process of making, altering, repairing, ornamenting, finishing or adapting for sale any article, or part of an article, and to which or over

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which premises, room or place the employer of the person or persons working therein has the right of access or control: *Provided*, That the exercise of such manual labor in a private house, or private room by the family dwelling therein, or by any of them, or in case a majority of persons therein employed are members of such family, shall not of itself constitute such house or room a workshop within this definition. [1912 No 188 s 5]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 6 to 18.—Said clerk [of the board of school directors] shall annually, between August first and August fifteenth, prepare, on forms prescribed by the State board of education, an accurate list containing the name and date of birth of each child of school age residing in the town, the name of the parent or other person having control of such child, and such other facts as the State board of education may prescribe. Said clerk shall keep such list on file and make such report therefrom as the State board of education may require. Upon presentation of the certificate of the superintendent that said list has been prepared as required by this section, said clerk shall be paid by the town, for preparing such list, four cents for each person of school age. [1915 No 64 s 30]

Duties of principals.—The trustees of incorporated schools shall cause their principals to return to the commissioner of education, on or before the tenth day of July, annually, answers to the statistical inquiries addressed to them by said commissioner. [1915 No 64 s 31]

Penalty for false statements, etc.—If a person having control of a child between the ages of six and eighteen years refuses to give the clerk information as to the age of such child, or falsely states the same, he shall be fined not more than twenty dollars. [1915 No 64 s 32]

COMPULSORY SCHOOL ATTENDANCE

Enforcement: duties of clerk, teachers, etc.—Immediately upon completing such list, said clerk shall furnish a list, with names in alphabetical order and the date of birth of each child, to the board of school directors. Before the opening day of each session, said board shall, subject to the approval of the superintendent, designate the school each child shall attend, and shall furnish the superintendent a list of the children of school age in town, with names in alphabetical order, the date of birth, and the school designated for each child. Said board shall also, at the same time, furnish the teacher of the school so designated a list of the children required to attend such school during the ensuing session together with the date of birth of each child; and said teacher shall inscribe on the sheet in the register of such school the names and dates of birth so furnished. [1915 No 64 s 33]

Children from 8 to 16; exceptions.—A person having the control of a child between the ages of eight and sixteen years shall, unless such child is mentally or physically unable so to attend, or is otherwise being furnished with the same education, or has completed the elementary school course, or is legally excused from attending school, cause such child to attend a public school continuously for the full number of days for which said school is held; and, if the school in which said child is a pupil is held for more than one hundred seventy days during such school year, shall cause such child to continue in school, unless excused in writing by the superintendent. In computing said one hundred seventy days, holidays and other days allowed teachers by law shall be included. [1915 No 64 s 50]

Exemptions on account of poverty compelling employment, etc.—If a child has completed the eight or nine year elementary course or has reached the age of fifteen years and has completed the first six years work in said elementary school, he may be excused by the superintendent from further attendance if his services are needed for the support of those dependent upon him, or for any other sufficient reasons. [1915 No 64 s 52]

Enforcement: duties of teachers.—In case a child between the ages of eight and sixteen years, who is not excused or exempted by law from attending school, fails to enter such school at the beginning of the term, or, being enrolled, fails to attend the same, * * * the teacher shall forthwith notify the superintendent, and the truant officer[1] of the town, unless said teacher is satisfied upon information that the child is absent on account of sickness. [1915 No 64 s 53]

[1] Section 1028, chapter 49, Public Statutes 1906, provides that the board of school directors shall annually appoint one or more truant officers, and that on failure to appoint said officers, the sheriff, deputy sheriffs, constables, and police officers shall act as truant officers. This section was, however, apparently repealed by section 179 of chapter 64 of the acts of 1915, though no provision for appointment of truant officers was made in the 1915 act.

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Enforcement: duties of truant officers, etc.—Said truant officer shall, upon receiving such notice, forthwith inquire into the cause of the child's non-attendance; and, if he finds that the child is absent without cause, he shall give written notice to the person having control of the child that the child is absent from school without cause, and also notify such person to cause the child to attend school regularly thereafter. After receiving such notice, if the person having control of the child fails, without legal excuse, to cause the child to attend regularly, the truant officer shall forthwith enter a complaint to the town grand juror of the town in which said person resides, or to the state's attorney of the county, who shall prosecute said person. [1915 No 64 s 54]

Enforcement: duties of truant officers and powers of superintendents.—A superintendent may, and the truant officer shall stop a child between the ages of eight and sixteen years, * * * not excused or exempted by law from attending school, wherever found during school hours, and take him to the school which he should attend. [1915 No 64 s 55]

Enforcement: duties and powers of superintendents.—If a person having control of a child represents to the superintendent that the child is mentally or physically unable to attend school, and the superintendent has reason to believe that the representation is untrue, he shall investigate and, if upon such investigation he deems it advisable, shall request the health officer of the town or a competent physician to examine the child and report his mental or physical condition to said superintendent; and the expense of such examination shall be paid from the school funds of the town. [1915 No 64 s 56]

Enforcement: duties of superintendents, truant officers, etc.—If a superintendent or truant officer has reason to believe that a person having control of a child has violated the provisions of this chapter, he shall forthwith enter a complaint to the grand juror of the town in which said person resides, or to the State's attorney of the county, and furnish him the evidence upon which such complaint is based, and said grand juror or said State's attorney shall prosecute said person; and in such prosecution the complaint, indictment or information shall be deemed sufficient if it states that the respondent, (naming him) having the control of a child of school age, (naming him) neglects to send said child to school as required by law. [1915 No 64 s 57]

Poor relief for child failing to attend on account of poverty.—If a person having control of a child of school age notifies the superintendent that he is unable to provide the child with suitable clothing for school attendance, or if, upon inquiry into the child's non-attendance, the superintendent is satisfied that he is not properly clothed and that said person is unable to provide suitable clothing for him, he shall notify the overseer of the poor, who shall at once provide necessary clothing for the child. [1915 No 64 s 59]

Penalty; superintendents, truant officers, etc.—A superintendent, truant officer or an overseer of the poor, who refuses or neglects to carry out the provisions of this chapter [1915 No 64 s 47–70], shall be fined not more than one hundred dollars. [1915 No 64 s 64]

General penalty.—A person who violates a provision of this chapter [1915 No 64 s 47–70] shall, unless otherwise provided, be fined not more than twenty-five dollars nor less than five dollars, which shall be paid to the State. Unless otherwise provided, justices of the peace and municipal courts shall have concurrent jurisdiction with the county court of offenses arising under this chapter. [1915 No 64 s 65]

Enforcement: duties and powers of supervisors of unorganized towns, etc.—Supervisors for unorganized towns and gores shall perform all the duties, and have all the authority and be subject to all the liabilities of school directors and truant officers of organized towns, as to all matters pertaining to schools in their respective unorganized towns or gores. [1915 No 64 s 173]

MERCANTILE ESTABLISHMENTS, STORES, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—The proprietor, manager or person having charge of any mercantile establishment, store, shop, hotel, restaurant or other place where women or girls are employed as clerks, or help therein, shall provide chairs, stools or other contrivances for the comfortable use of such female employees, for the preservation of their health and for rest when not actively employed in the discharge of their respective duties. [1915 No 209 s 1]

Penalty.—Any proprietor, manager or other person violating the provisions of this act, shall be fined not more than one hundred dollars nor less than ten dollars. [1915 No 209 s 2]

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VIRGINIA

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EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

General assembly may provide for compulsory education of children from 8 to 12; exemptions.—The general assembly may, in its discretion, provide for the compulsory education of children between the ages of eight and twelve years, except such as are weak in body or mind, or can read and write, or are attending private schools, or are excused for cause by the district school trustees. [Constitution article 9 section 138]

CHILD LABOR AND VAGRANCY

Persons living on earnings of their minor children declared vagrants.—The following persons shall be deemed vagrants:

* * * * * * *

Eighth. All persons who are able to work and who do not work, but hire out their minor children and live upon their wages. [Code 1904 section 884]

Enforcement: duties of police officers, sheriffs, etc.; vagrancy a misdemeanor.—It shall be, and is hereby, made the duty of the sheriff and constables of every county, the police, or town sergeants or other like officials in every city and town in this State, to give information, under oath, to any officer empowered by law to issue criminal warrants, of all vagrants within their knowledge or persons whom they have good reason to suspect of being vagrants, in their respective counties, cities, and towns; and thereupon, or upon the complaint of any person upon oath, the said officer shall issue a warrant for the arrest of the person alleged to be a vagrant, and he shall be brought before any magistrate having jurisdiction of misdemeanors within said county, city, or town, and upon conviction shall be punished as for a misdemeanor: *Provided however*, That the magistrate may, in his discretion, or the court before which the case may be tried on appeal may, in its discretion, permit such person so convicted to give bond, with sufficient security, in an amount not exceeding five hundred dollars nor less than one hundred dollars, conditioned upon his future industry and good conduct for one year; and upon giving such bond such person shall be set at liberty without undergoing the punishment imposed by his conviction: *And provided further*, That it shall be a sufficient defense to the charge of vagrancy under this and the preceding section that the defendant has made reasonable bona fide efforts to obtain employment at reasonable prices for his labor and has failed to obtain the same. [C 1904 s 885]

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Penalty.—A misdemeanor, for which no punishment is prescribed by statute, shall be punished by fine or confinement in jail, or both, in the discretion of the jury, or of the court trying the case without a jury. [C 1904 s 3902]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 7 to 20.—The clerk of each district school board, during the month of April or May, nineteen hundred and ten, and every five years thereafter, shall, in proper person or by deputies approved by the division superintendent of schools, take a census of all persons between the ages of seven and twenty years, residing within the school district, and gather statistics relating to the interests of education in said district, according to the forms furnished by the superintendent of public instruction. The lists thus prepared shall be submitted for careful revision to the district school board as soon as may be after their completion, and shall at all times be open to the inspection of any citizen. When so revised, they shall be submitted, along with the other papers of the district, to the county board at its annual meeting, and immediately thereafter delivered to the division superintendent. For said service the clerk or his deputy shall receive compensation out of the district school fund at the rate of three dollars per hundred of the children listed by him, subject to abatement, on the discovery, before or after the settlement of the account, of errors or omissions in the list, or to a fine by the district board * * *. [C 1904 s 1462 as amended by 1906 C 248]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties of factory inspectors.—The commissioner of labor shall have general supervision and control of the said bureau [of labor and statistics] and shall be designated in connection therewith as the "chief factory inspector." He shall secure the enforcement of all laws now in force, or which may hereafter be enacted, relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions in this State, and perform such other duties as are now, or which may be hereafter prescribed by law to be performed by the factory inspector. He shall have power to appoint an assistant chief factory inspector and such other deputy factory inspectors as may be necessary. The duties of the assistant chief factory inspector and of the deputy factory inspector shall be the same as those which are now, or which may be hereafter, imposed by law upon the commissioner of labor and his deputies who serve as factory inspectors. Said chief factory inspector, assistant chief factory inspector, and deputy factory inspectors, shall visit and inspect at all reasonable hours, as often as practicable, the factories, mercantile establishments, mills, workshops, and commercial institutions in this State, where goods, wares, or merchandise are manufactured, purchased, or sold, at wholesale or retail. * * * It shall be the duty of said inspectors to enforce the provisions of this act [s 1790c (1)–1790c (7)], and perform such other duties as are now, or which may hereafter be prescribed by law, and to prosecute all violations of law relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions in this State before any justice of the peace, or any court of competent jurisdiction in this State. And it shall be the duty of the Commonwealth's attorney of the proper county, or city, upon the request of the chief factory inspector, or his assistant or deputy, to prosecute any violations of law which it is made the duty of the said factory inspector to enforce. [C 1904 s 1790c (7) as added by 1914 C 321]

ALL OCCUPATIONS

WAGES

Wages of minor child of debtor.—The wages of a minor shall not be liable to garnishment or otherwise liable to the payment of the debts of parents. [C 1904 s 3652c]

MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty.—Chairs, stools or other suitable seats shall be maintained in mercantile establishments for the use of female employees therein to the number of at least one seat for every three females employed, and the

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use thereof by such employees shall be allowed at such times and to such extent as may be necessary for the preservation of their health. If the duties of the female employees, for the use of whom the seats are furnished, are to be principally performed in front of a counter, table, desk or fixture, such seats shall be placed in front thereof; if such duties are to be principally performed behind such counter, table, desk or fixture, such seats shall be placed behind the same. If any employer of female help in the State of Virginia shall neglect or refuse to provide seats, as provided in this act [s 3657a], or shall make any rules, orders or regulations in his shop, store or other place of business, requiring females to remain standing when not necessarily employed in service or labor therein, he shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be liable to a fine therefor in a sum not to exceed twenty-five dollars, with costs, in the discretion of the court. [C 1904 s 3657a as amended by 1910 C 189]

MANUFACTURING AND MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

HOURS OF LABOR

Ten hours a day for boys under 14 and girls of any age; exceptions; penalty.—No female and no child under fourteen years of age shall work as an operative in any factory, workshop, laundry, mercantile, or in any manufacturing establishment in this State more than ten hours in any one day of twenty-four hours. All contracts made or to be made for the employment of any female or of any child under fourteen years of age, as an operative in any factory, workshop, laundry, mercantile, or in any manufacturing establishment to work more than ten hours in any one day of twenty-four hours, are and shall be void. Any person having the authority to contract for the employment of persons as operatives in any factory, workshop, laundry, mercantile, or in any manufacturing establishment, who shall engage or contract with any female or any child under fourteen years of age to work as an operative in such factory, workshop, laundry, mercantile, or in any manufacturing establishment during more than ten hours in any one day of twenty-four hours shall be guilty of a misdemeanor, and be fined not less than five nor more than twenty dollars: *Provided*, That nothing contained in [this section] * * * shall apply to mercantile establishments in towns of less than two thousand inhabitants or to country stores. [C 1904 s 3657b as amended by 1914 C 158 s 1]

NOTE.—[See chapter 301 of the Acts of 1908 as amended by chapter 339 of the Acts of 1914, which appears to prohibit employment under 14 in factories, workshops, laundries, and mercantile establishments with certain exemptions.]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of boys under 21 and girls of any age in places where intoxicating liquors are manufactured, etc., prohibited; exceptions; penalty; application of act.—No male under twenty-one years of age and no female shall be employed in any capacity in any place, except in hotels, where intoxicating liquors are manufactured, bought, sold, packed, or shipped, except mercantile establishments in the country. Any person having authority to contract for the employment of persons in any place[,] except in hotels[,] where intoxicating liquors are manufactured, bought, sold, packed, or shipped, who shall engage or contract with, any male under twenty-one years of age, or any female, to work in any capacity in any place[.] except in hotels[,] where intoxicating liquors are manufactured, bought, sold, packed, or shipped, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five nor more than twenty dollars: *Provided however*, That nothing in this act [1914 C 158 s 3 and C 1904 s 3657b as amended by 1914 C 158 s 1] shall be construed to apply to females whose full time is employed as a bookkeeper, stenographer, cashier, or office assistant, nor shall the provisions of this act apply to canning factories and fish packing establishments located in the country sections. [1914 C 158 s 3]

MANUFACTURING AND MECHANICAL ESTABLISHMENTS, AND MINES

MINIMUM AGE AND HOURS OF LABOR

Employment under 12 prohibited; night work prohibited under 14; penalty for employer, parent, etc.—No child under the age of fourteen years and over twelve years of age shall be employed in any manufacturing, mechanical, or mining operations in this

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Commonwealth to work between the hours of six o'clock postmeridian and seven o'clock antemeridian; and that no child under the age of twelve years shall be employed in any manufacturing, mechanical, or mining operation in this Commonwealth; and any owner, agent, superintendent, overseer, foreman, or manager of any manufacturing, mechanical, or mining operation who shall knowingly employ, or permit to be employed, in the operation of which he is owner, agent, superintendent, overseer, foreman, or manager any child contrary to the provisions of this act [s 3657bb], and any parent or guardian who allows or consents to such employment of his child or ward, shall, upon conviction of such offense, be fined not less than twenty-five dollars nor more than one hundred dollars. [C 1904 s 3657bb]

NOTE.—[See chapter 301 of the Acts of 1908 as amended by chapter 339 of the Acts of 1914, prohibiting employment under 14 in factories, workshops, mines, etc., with certain exemptions, and section 15, chapter 178 of the Acts of 1912, prohibiting employment under 14 in coal mines.]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Endangering life, health, or morals, or overworking child, prohibited.—It shall be unlawful for any person employing or having the custody of any child willfully to cause or permit the life of such child to be endangered or the health of such child to be injured, or willfully to cause or permit such child to be placed in a situation that its life or health or morals may be endangered, or to cause or permit such child to be overworked, cruelly beaten, tortured, tormented or mutilated. [C 1904 s 3795a(1) as amended by 1908 C 282]

Employment under 14 in rope walking, gymnastics, acrobatic performances, etc., prohibited; parent, etc.—It shall be unlawful for any person having the care, custody, or control of any child under the age of fourteen years to sell, apprentice, give away, let, or hire out, or otherwise dispose of such child to any person in or for the vocation or occupation, service, or purpose of rope or wire walking, begging or peddling, or as a gymnast, contortionist, rider, or acrobat in any place whatsoever, or for any obscene, indecent, or immoral purpose, exhibition, or practice whatsoever, or for or in any business, exhibition, or vocation injurious to the health or morals or dangerous to the life or limb of such child, or cause, procure, encourage, or permit any such child to engage therein. [C 1904 s 3795a(2)]

Employment under 14 in rope walking, gymnastics, acrobatic performances, etc., prohibited; employer, etc.—It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit, or have in custody any child under the age aforesaid for any of the purposes prohibited in the second section [3795a(2)] of this act [s 3795a(1)–3795a(8)]. [C 1904 s 3795a(3)]

Penalty; custody of child may be forfeited.—Whenever any person or persons having the care or custody of any child within the age previously mentioned in this act [s 3795a(1)–3795a(8)] shall engage, hire out, or use such child in or for any business, exhibition, vocation, or purpose prohibited in this act, or shall permit the use of such child therefor, and shall be convicted of the same, the court or magistrate before whom such conviction is had may at his discretion if he should think it desirable for the welfare of such child deprive the person or persons so convicted of the custody of such child, and thereafter such child shall be deemed in the custody of the court, and thereupon such proceedings shall be had as to the commitment, custody, care, and education of such child as are provided for in section five of this act [for vagrant or destitute children]. [C 1904 s 3795a(6)]

Penalty.—A person convicted under any of the provisions of this act [s 3795a(1)–3795a(8)] shall be deemed guilty of a misdemeanor and shall be punished by fine not exceeding two hundred dollars or by imprisonment in jail not exceeding twelve months or both. [C 1904 s 3795a(7)]

Definitions.—In this act the word "person" shall be construed to include corporations, partnerships, companies, and associations, as well as individuals. [C 1904 s 3795a(8)]

FACTORIES, WORKSHOPS, MINES, MERCANTILE ESTABLISHMENTS, ETC.

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited in these occupations, and during school hours or at night in distribution, etc., of merchandise.—No child under the age of fourteen years shall be employed, permitted or suffered to work in any factory, workshop, mine,

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mercantile establishment, laundry, bakery, brick or lumber yard, or during school hours or after seven postmeridian in the distribution, transmission or sale of merchandise. [1908 C 301 s 1 as amended by 1914 C 339]

HOURS OF LABOR

Ten hours a day, 6 days a week, and night work prohibited, under 16.—No child under the age of sixteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section one (1) for more than six days in any one week; (2) nor more than ten hours in any one day; (3) nor before the hour of seven o'clock in the morning nor after the hour of nine o'clock in the evening. [1908 C 301 s 2 as amended by 1914 C 339]

EMPLOYMENT CERTIFICATES AND RECORDS

Certificates and lists required under 16; age records required; notary public to issue certificates; certificates to be returned to issuing office; method of issuing.—No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section one unless the person, firm or corporation employing such child procures and keeps on file and accessible to any inspector of factories, or other authorized inspector or officer charged with the enforcement of this act, the employment certificate as hereinafter provided, issued to said child; and keeps two complete lists of the names, together with the ages of all children under sixteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. On termination of the employment of a child whose employment certificate is on file, such certificate shall be returned by the employer within two days to the official who issued the same with a statement of the reasons for the termination of said employment. Such employment certificate shall be issued only by a notary public, in the city, town or village in which the child is to be employed, upon the application in person of the parent or guardian or custodian of the child desiring such employment. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed evidence of age showing that the child is fourteen years old or upwards, which shall consist of one of the following proofs of age, and shall be required in the order herein designated as follows:

(a) A duly attested transcript of the birth certificates filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child.

(b) A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

(c) In case none of the above proofs of age can be produced, other documentary evidence of age which shall appear to be satisfactory to the officer issuing the certificate may be accepted in lieu thereof. In such case a school census or school record, duly attested, may be used as proof of age in the discretion of the officer issuing the certificate.

(d) In case no documentary proof of age of any kind can be produced, the officer issuing the certificate may receive and file an affidavit signed by the parent or guardian or custodian of the child which shall contain the name, alleged age, place, and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall contain a statement certifying that the parent, guardian or custodian signing such application is unable to produce any of the documentary proofs of age specified in the preceding subdivisions of this section. [1908 C 301 s 3 as amended by 1914 C 339]

MESSENGERS IN CITIES

MINIMUM AGE AND HOURS OF LABOR

Employment under 14 prohibited; night work prohibited under 18.—In cities having a population of five thousand or more, according to the census of nineteen hundred and ten, no child under the age of fourteen years shall be employed, permitted or suffered to work as messenger for a telegraph, telephone or messenger company, in the distribution, transmission or delivery of goods or messages, and no child under eighteen years of age shall be so employed, permitted or suffered to work between the hours of ten o'clock in the evening and five o'clock in the morning. [1908 C 301 s 4 as amended by 1914 C 339]

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STREET TRADES IN CITIES

MINIMUM AGE

Employment of boys under 10 and girls under 16 prohibited.—No boy under ten years of age and no girl under sixteen years of age shall, in any city in this State of five thousand population or more, distribute, sell, expose, or offer for sale, newspapers, magazines, or other periodicals in any street or public place. [1908 C 301 s 5 as amended by 1914 C 339]

REGULATED OCCUPATIONS

PENALTIES; EXEMPTIONS AND SPECIAL PERMITS.

Violation of act by employer, parent, etc.; fruit and vegetable canneries exempted during certain periods; other exemptions; evidence of violation.—Any owner, superintendent, overseer, foreman or manager, who shall knowingly employ or permit any child to be employed contrary to the provisions of this act, in any factory, workshop, mercantile establishment or laundry, with which he is connected, or any parent or guardian, who allows any such employment of his child or ward, shall upon conviction of such offense be fined not less than twenty-five dollars nor more than one hundred dollars. But nothing in this act shall prevent a parent from working his or her child in any factory, workshop, mercantile establishment or laundry, or other place owned or operated by said parent, nor apply to persons employed in factories engaged exclusively in packing fruits and vegetables between July first and November first of each year. Any employment contrary to the provisions of this act shall be prima facie evidence of guilt, both as to the employer and the parent or guardian of the child so employed: *Provided further*, That nothing contained in this act shall apply to mercantile establishments in towns of less than two thousand inhabitants or in country districts: *Provided however*, That upon petition of the parent, guardian or other person interested in such child to the circuit or corporation court the court may for good cause shown entered of record release any child, between the ages of twelve and fourteen years, or the parent or guardian of such child from the operation of this act. [1908 C 301 s 6 as amended by 1914 C 339]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 12 where voters approve act; exceptions.—Every parent, guardian, or other person having charge or control of any child between the ages of eight and twelve years, shall be required to send such child to a public school of this Commonwealth for at least twelve weeks in each school year, at least six weeks of which shall be consecutive, unless the district school trustees of the district in which such parent, guardian or other person resides, excuse for cause such child, or unless such child be weak in body or mind, or can read and write, or is attending a private school, or lives more than two miles by the usual traveled route from the nearest public school, or more than one mile from the line of an established public free school wagon route: *Provided however*, That the provisions of this act shall not apply in any county, city or town in this Commonwealth, except, and until the qualified voters of such county or city or town shall, as hereinafter provided, avail themselves of the provisions hereof. [1908 C 364 s 1]

NOTE.—[This act has been approved by the following cities: Clifton Forge, Lynchburg, Petersburg, Richmond, and Bristol, and by the following counties: Alleghany, Henrico, Rockingham, Shenandoah, and Wise.]

Approval of act to be decided by vote.—The provisions of this act may be made to apply in any county, city, town or magisterial district constituting a separate school district of this Commonwealth by submitting the question of compulsory education to the qualified voters of such county, city, or town at any general election to be held in said county, city, town or magisterial district composing a separate school district at any general election to be held in said county, city or town, or at any special election held for the purpose as hereinafter provided. * * * [1908 C 364 s 2]

Enforcement: duties of district school board.—In every county or city of this Commonwealth in which the provisions of this act may be made to apply as aforesaid, each district school board shall, on the second Monday in February and the second Monday in September, or within fifteen days thereafter, each year, in such manner as the

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State board of education may direct, ascertain the condition of all children between the ages of eight and twelve years who are not in attendance upon any public school, and shall report all violation[s] of this act to its district clerk, who shall at once proceed to prosecute each and every such offense. [1908 C 364 s 4]

Penalty.—A parent, guardian, or other person, who fails to comply with the provisions of this act shall be liable to a fine of not less than two nor more than ten dollars for the first offense, nor less than five nor more than twenty dollars for each subsequent offense * * *. [1908 C 364 s 5]

Enforcement: duties and powers of clerk of district school board; penalty for failure to prosecute.—The clerk of the district school board in each district, in the counties or cities wherein the provisions of this act are adopted, as aforesaid, shall prosecute every offense against the provisions of this act, when a member of the district school board, or any taxpayer of the district in which the offending party resides, files with him an affidavit setting forth the facts constituting the offense; and if he neglect to do so within fifteen days after such affidavit is filed, he shall be liable to a fine of not less than five nor more than ten dollars for each case of such neglect * * *. [1908 C 364 s 6]

Equivalent attendance.—Two weeks attendance at half time or night school shall be considered, within the meaning of this act, equivalent to an attendance of one week at a day school. [1908 C 364 s 7]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, ETC.

HEALTH OF MINORS AND TOILETS FOR GIRLS

Cleanliness where women and children are employed; separate toilets for the sexes.—Every factory in which five or more persons are employed, and every factory, workshop, mercantile or other establishment, or office, in which two or more children, under eighteen years of age, or women, are employed, shall be kept clean and free from effluvia arising from any drain, privy or nuisance, and shall be provided with a sufficient number of water-closets, earth closets or privies, and reasonable access shall be afforded thereto; and whenever one or more males and one or more females are employed together, a sufficient number of separate water-closets, earth closets or privies shall be provided for the use of each sex, and plainly designated; and no person shall be allowed to use a closet or privy which is provided for persons of the other sex: *Provided*, In buildings used exclusively for offices the provisions of this section shall not apply, if separate toilets are within convenient access, in the buildings wherein the offices are located. [1910 C 14 s 1 as amended by 1914 C 286]

Enforcement: duties of health commissioners, etc.—If it appears to the commissioner of labor that any act, neglect or fault in relation to any drain, water-closet, privy, ash pit, water supply, nuisance or other matter in a factory or workshop included under the provisions of section one is punishable or remediable under any law relative to the preservation of the public health, but not under the provisions of this chapter, he shall give notice in writing thereof to the board of health of the city or county in which such factory or workshop is situated, or to the State health commissioner, and such board of health or State health commissioner shall thereupon inquire into the subject of the notice and enforce the laws relative thereto. [1910 C 14 s 3 as amended by 1914 C 286]

Prosecution; application of act.—A criminal prosecution shall not be instituted against a person for the violation of the provisions of section one * * * until four weeks after notice in writing by the commissioner of labor of the changes necessary to be made to comply with the provisions of said section has been sent by mail or has been delivered to such person, nor if such changes shall have been made in accordance with such notice. A notice shall be sufficient under the provisions of this section if given to one member of a firm, or to the clerk, cashier, secretary, agent or any other officer who has charge of the business of a corporation, or to its attorney, and in case of a foreign corporation, to the officer who has charge of such factory or workshop, and such officer shall be personally liable for the amount of any fine, if a judgment against the corporation is returned unsatisfied. The application of this law to stores and office buildings in cities of five thousand inhabitants or less and in towns of five thousand inhabitants or less shall be left to the discretion of the commissioner of labor. [1910 C 14 s 4 as amended by 1914 C 286]

Penalty.—Any person, firm or corporation who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, be subject to a fine of not less than five nor more than twenty-five dollars, and each day of such violation may constitute a separate offense. [1910 C 14 s 5 as amended by 1914 C 286 s 6]

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INTOXICATING LIQUORS

MINIMUM AGE

Employment of minors in saloons prohibited; penalty; revocation of license.—The following described acts shall be unlawful:

* * * * * * *

No female or minor shall be employed in any capacity in any saloon * * *. Any violation of any of the provisions of this section shall, upon conviction, serve to revoke the license of any person, firm or corporation so convicted, said revocation to take effect upon final judgment, and no license shall be granted to such person, or anyone in anywise connected with such person, in said liquor business for two years from the date of such final judgment * * *. [1910 C 190 s 19 subdivision e]

Penalty.—Any person violating any of the provisions of or failing to comply with any of the requirements of this act shall be deemed guilty of a misdemeanor, unless otherwise provided herein, and shall be fined not less than fifty nor more than one hundred dollars for each offense, and in addition he may, in the discretion of the court, be imprisoned not more than sixty days, and shall be required to give bond for twelve months, with approved security, in the penalty of five hundred dollars, and conditioned that he will not violate the provisions of this act. For the second and each succeeding offense he shall be fined not less than one hundred dollars, and shall be confined in jail not less than six nor more than twelve months: *Provided*, That if the physical condition of such convict will permit, instead of the jail sentence he shall be sentenced to work on the roads, and shall forfeit his bond previously given and be required to give bond with approved security in the penalty of one thousand dollars, conditioned as above. If he shall fail or refuse to execute the bond herein required, either for the first or any succeeding offense, he shall be confined in jail, in addition to his other punishment, not less than two nor more than six months. [1910 C 190 s 27]

IMMORAL OCCUPATIONS

MINIMUM AGE

Sending children under 17 to immoral places, etc., prohibited; penalty.—It shall be unlawful for any person to cause or encourage any boy or girl to commit a misdemeanor, or for any person to send or cause to be sent any boy or girl, under seventeen years of age, to any house of prostitution, or to any saloon or wine room, or to any policy shop or gambling place, or to any pool room or bucket shop, knowing them to be such, or knowingly permit, contribute to, encourage, or cause any such child to be guilty of any vicious or immoral conduct, and any person so offending shall be guilty of a misdemeanor, and shall be tried in any court of competent jurisdiction, and upon conviction thereof shall be punished by a fine not in excess of one hundred dollars, or by imprisonment in jail for a period not exceeding one year, or, in the discretion of the court, in lieu thereof, to hard labor on the public roads for a period not to exceed six months. [1910 C 347 s 3]

NOTE.—[For similar provision governing children under 18, see section 1, chapter 228, Acts of 1914.]

COAL MINES

MINIMUM AGE

Enforcement: duties and powers of mine inspector.—* * * Said inspector [of mines] shall visit each mine once in six months, or oftener if called on in writing by ten men engaged in any one mine, or the owner, operator or superintendent of such mine, and make a personal examination of the interior of all mines, * * * and he shall see that the provisions of the mining statute are strictly carried out * * *. [1912 C 178 s 3]

Hindering inspector prohibited.—The operator or agent of every coal mine shall furnish the inspector proper facilities for entering such mine and making examinations or obtaining information * * *. [1912 C 178 s 14]

Employment of boys under 14 and girls of any age prohibited; proof of age may be required; penalty.—No boy under fourteen years of age, nor female persons of any age, shall be permitted to work in any coal mine, and in all cases of doubt the parents or guardians of such boys shall furnish affidavits of their ages. Any operator, agent or mine foreman who shall knowingly violate the provisions of this section, or any person knowingly making a false statement as to the age of any boy under fourteen years of

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age applying for work in any coal mine, shall, upon conviction, be fined not less than ten nor more than five hundred dollars, or to [sic] be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court. [1912 C 178 s 15]

Application of act.—The provisions of this act shall apply only to coal mines in which five or more persons are employed in a period of twenty-four hours, but no mine employing less than ten shall be required to employ a mine foreman. [1912 C 178 s 24]

IMMORAL OCCUPATIONS

MINIMUM AGE

Sending children under 18 to immoral places, etc., prohibited; penalty.—Any person over eighteen years of age who shall cause or encourage any child under the age of eighteen years to commit any misdemeanor or who shall send or cause to be sent any such child to, or permit any such child to enter or remain in, any house of prostitution, or any saloon or wine room, or to any policy shop or gambling place, or to any pool room or bucket shop, knowing them to be such, or who knowingly permits or induces any such child to enter or remain in any such place or in any place for an unlawful purpose, or who knowingly permits, contributes to, encourages or causes any such child to be guilty of any such vicious or immoral conduct, as is herein specified, or who shall subject any such child to vicious or immoral influences, in the manner herein specified, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to punishment by a fine of not more than five hundred dollars, or by imprisonment in jail for a period not exceeding one year, or [by] both. [1914 C 228 s 1]

NOTE.—[For similar provision governing children under 17, see section 3, chapter 347, Acts of 1910.]

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BAKESHOPS

HOURS OF LABOR

Night work prohibited under 16.—No employer shall require, permit or suffer any person under sixteen years of age to work in his bakeshop between the hours of eight o'clock in the evening and five o'clock in the morning. [Pierce's Code 1912 title 37 section 17]

Penalty.—Any person who violates the provisions of this act [s 1–19] shall be guilty of a misdemeanor, and on conviction thereof before any court of competent jurisdiction, shall be fined not less than twenty-five nor more than fifty dollars or imprisoned not more than ten days for the first offense; and shall be fined not less than fifty nor more than one hundred dollars and imprisoned not less than ten or more than thirty days for each offense after the first. [P C 1912 t 37 s 19]

ALL OCCUPATIONS

WAGES

Payment to minor if contract with him alone.—When a contract for the personal services of a minor has been made with him alone, and those services are afterwards performed, payment made therefor to such minor in accordance with the terms of the contract, is a full satisfaction for those services, and the parents or guardian can not recover therefor. [P C 1912 t 69 s 9]

ALL REGULATED OCCUPATIONS

PENALTIES

Misdemeanor.—Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for not more than ninety days, or by a fine of not more than two hundred and fifty dollars. [P C 1912 t 135 s 27]

Gross misdemeanor.—Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for not more than one

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year, or by a fine of not more than one thousand dollars, or by both. [P C 1912 t 135 s 29]

Performing any prohibited act constitutes misdemeanor.—Whenever the performance of any act is prohibited by any statute, and no penalty for the violation of such statute is imposed, the committing of such act shall be a misdemeanor. [P C 1912 t 135 s 33]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 18 prohibited; sending messengers to immoral places; misdemeanor, for parent, employer, etc.—Every person who shall employ, or cause to be employed, exhibit or have in his custody for exhibition or employment any minor actually or apparently under the age of eighteen years; and every parent, relative, guardian, employer or other person having the care, custody, or control of any such minor, who shall in any way procure or consent to the employment of such minor—

1. In begging, receiving alms, or in any mendicant occupation; or,
2. In any indecent or immoral exhibition or practice; or,
3. In any practice or exhibition dangerous or injurious to life, limb, health or morals; or,
4. As a messenger for delivering letters, telegrams, packages or bundles, to any known house of prostitution or assignation;

Shall be guilty of a misdemeanor.[1] [P C 1912 t 135 s 387]

STORES, FACTORIES, MINES, ETC.

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment of boys under 14 and girls under 16 without permit prohibited; farm and house work excepted; misdemeanor for parent, employer, etc.—Every person who shall employ, and every parent, guardian or other person having the care, custody or control of such child, who shall permit to be employed, by another, any male child under the age of fourteen years or any female child under the age of sixteen years at any labor whatever, in or in connection with any store, shop, factory, mine or any inside employment not connected with farm or house work, without the written permit thereto of a judge of a superior court of the county wherein such child may live, shall be guilty of a misdemeanor.[1] [P C 1912 t 135 s 389]

Court decision.—An employer who employs a child represented by the father to be 16 years old, and who himself indicates that he is over 14, may not rely on the child's assumption of risk.—Glucina *v.* Goss Brick Co., 115 Pac. 843 (1911).

IMMORAL OCCUPATIONS

MINIMUM AGE

Distribution of obscene literature by minors prohibited; gross misdemeanor for employer, parent, etc.—Every person who * * * shall hire, use or employ, or having custody or control of his person shall permit any minor to sell, give away, or in any manner distribute any article hereinbefore mentioned [book, pamphlet, magazine, newspaper, etc., devoted to the publication, or largely made up of criminal news, police reports, accounts of criminal deeds, or pictures and stories of deeds of bloodshed, crimes, etc.]; * * * shall be guilty of a gross misdemeanor.[2] [P C 1912 t 135 s 413]

INTOXICATING LIQUORS

MINIMUM AGE

Employment of girls in saloons, etc., prohibited; penalty.—No female person shall be employed in any capacity in any saloon,[3] beer hall, barroom, theater, or place of amusement, where intoxicating liquors are sold as a beverage, and any person or corporation convicted of so employing, or of participating in so employing, any such female person shall be fined not less than five hundred dollars; and any person so convicted may be imprisoned in the county jail for a period of not less than six months. [P C 1912 t 135 s 1495]

Court decision.—This section was held constitutional.—In re Considine, 16 Wash. 358, 83 Fed. 157 (1897).

[1] For penalty for misdemeanor, see page 3 (Pierce's Code 1912, title 135, section 27).
[2] For penalty for gross misdemeanor, see page 3 (Pierce's Code 1912, title 135, section 29).
[3] Proprietor of saloon, etc., is prohibited by Pierce's Code 1912, title 135, section 389, from admitting any person to such place, or allowing such person to remain therein.

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Bureau of labor established; organization.—A commissioner of labor shall be appointed by the governor, and said commissioner of labor, by and with the consent of the governor, shall have power to appoint and employ such assistants as may be necessary to discharge the duties of said commissioner of labor; and said commissioner of labor, together with the inspector of coal mines, shall constitute a bureau of labor. * * * [P C 1912 t 291 s 97]

Appointment, duties, and powers of female assistant commissioner.—The commissioner of labor shall appoint one female as assistant commissioner of labor and such female assistant shall have charge, under the direction of the commissioner of labor, of the enforcement of all laws relating to the health, sanitary conditions, surroundings, hours of labor and all other laws affecting the employment of female wage earners. * * * [P C 1912 t 291 s 99]

Duties of commissioner and employees.—It shall be the duty of such officer and employees of the said bureau to cause to be enforced all laws regulating the employment of children, minors and women, all laws established for the protection of the health, lives and limbs of operators in workshops, factories, mills and mines, on railroads and other places, and all laws enacted for the protection of the working classes, * * * laws regulating and prescribing the qualifications of persons in trades and handicrafts, and similar laws now in force or hereafter to be enacted. * * * [P C 1912 t 291 s 101]

STREET RAILWAYS

HOURS OF LABOR

Ten hours a day for certain employees.—No person, agent, officer, manager or superintendent or receiver of any corporation or owner of street cars shall require his or its gripmen, motormen, drivers or conductors to work more than ten hours in any twenty-four hours. [P C 1912 t 291 s 133]

Enforcement: duties of prosecuting attorney; penalty.—Any person, agent, officer, manager, superintendent or receiver of any corporation, or owner of street car or cars, violating any of the provisions of section one [133] of this act [s 133–135] shall upon conviction thereof shall [sic] be deemed guilty of a misdemeanor, and be fined in any sum not less than $25 nor more than $100 for each day in which such gripman, motorman, driver or conductor in the employ of such person, agent, officer, manager, superintendent or receiver of such corporation or owner is required to work more than ten (10) hours during each twenty-four (24) hours, as provided in section one [133] of this act, and it is hereby made the duty of the prosecuting attorney of each county of this State to institute the necessary proceedings to enforce the provisions of this act. [P C 1912 t 291 s 135]

RAILROADS[1]

HOURS OF LABOR

Period of rest after 16 hours' work for certain employees; exceptions.—It shall be unlawful for any common carrier by railroad or any of its officers or agents, to require or permit any employee engaged in or connected with the movement of any train to remain on duty more than sixteen consecutive hours, except when by casualty occurring after such employee has started on his trip; or, except by accident or unavoidable delay of trains scheduled to make connection with the train on which such employee is serving, he is prevented from reaching his terminal; or, to require or permit any such employee who has been on duty sixteen consecutive hours to go on duty without having had at least ten hours off duty; or, to require or permit any such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period to continue on duty without having had at least eight hours off duty within the twenty-four hour period. [P C 1912 t 291 s 137]

Enforcement: duties of railroad commission; penalty.—Any such common carrier, or any of its officers or agents violating any of the provisions of this act [s 137–139] is hereby declared to be guilty of a misdemeanor, and upon conviction thereof shall be liable to a penalty of not less than one hundred or more than one thousand dollars for each and every such violation to be recovered in a suit or suits to be brought by

[1] See court decisions on page 7 (New York).

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the attorney general; and it shall be the duty of the attorney general to bring such suits upon duly verified information being lodged with him of such violation having occurred, in any superior court; and it shall also be the duty of the railroad commission to fully investigate all cases of the violation of this act, and to lodge with the attorney general information of any such violation as may come to its knowledge. [P C 1912 t 291 s 139]

MECHANICAL AND MERCANTILE ESTABLISHMENTS, LAUNDRIES, ETC.

HOURS OF LABOR FOR GIRLS

Eight hours a day; canning industries, etc., excepted; constitutionality.—No female shall be employed in any mechanical or mercantile establishment, laundry, hotel or restaurant in this State more than eight hours during any day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four: *Provided however*, That the provisions of this section in relation to the hours of employment shall not apply to, nor affect, females employed in harvesting, packing, curing, canning or drying any variety of perishable fruit or vegetable, nor to females employed in canning fish or shellfish. If it shall be adjudicated that the foregoing proviso and exception shall be unconstitutional and invalid for any reason, an adjudication of invalidity of said proviso or of any part of this act [s 145–149] shall not affect the validity of the act as a whole or any other part thereof. [P C 1912 t 291 s 145]

Court decisions.—The section of which this is an amendment was held constitutional; exemption of canning industries held not discriminating.—State *v.* Buchanan, 29 Wash. 602, 70 Pac. 52 (1902). This section was held constitutional.—State *v.* Somerville, 67 Wash. 638, 122 Pac. 324 (1912). This section does not exempt establishments within the exemption, but an employee therein not engaged in the canning of fish is within the act.—State *v.* Pacific American Fisheries, 131 Pac. 452 (1913).

ALL OCCUPATIONS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every employer in establishments where females are employed shall provide suitable seats for them and shall permit the use of such seats by them when they are not engaged in the active duties for which they are employed, and every such employer shall keep posted in an open and conspicuous place in each room where such females are at work a copy of this act [s 145–149] printed in such form and style as may be prescribed by the commissioner of labor. [P C 1912 t 291 s 147]

REGULATED OCCUPATIONS

PENALTY

Violation of act.—Any employer, overseer, superintendent or other agent of any such employer who shall violate any of the provisions of this act [s 145–149], shall, upon conviction thereof be fined for each offense in a sum not less than ten dollars nor more than one hundred dollars. [P C 1912 t 291 s 149]

FACTORIES, WORKSHOPS, STORES, MESSENGERS, ETC.

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment of messengers under 19 in certain cities prohibited; employment under 14 in factories, mills, workshops or stores prohibited; permits may be granted children from 12 to 14 on account of poverty; permits may be granted messenger boys over 14.—No person under the age of nineteen years shall be employed as a public messenger by any person, telegraph company, telephone company, or messenger company in any city of the first class in this State, nor shall any child of either sex under the age of fourteen years be hired out to labor in any factory, mill, workshop or store at any time: *Provided*, That any superior court judge may issue a permit for the employment of any child between the ages of twelve and fourteen years at any occupation, not in his judgment, dangerous or injurious to the health or morals of such child, upon evidence satisfactory to him, that the labor of such child is necessary for its support or for the assistance of any parent: *And provided further*, That the judge of the juvenile court may issue permits for the employment of any male child over fourteen years of age, as messenger by telegraph, telephone and messenger companies subject to such limi-

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tations and conditions as may be imposed by said court. All permits herein provided for shall be issued for a definite time and shall be revocable at the discretion of the judge by whom issued. [P C 1912 t 291 s 151][1]

Court decision.—The words "hired out" are intended to forbid the employment as well as hiring out by the parents; the prohibition extends to all connected therewith, making the employment itself illegal.—Kirkham v. Wheeler Osgood Co., 39 Wash. 415 (1905).

Penalty.—Any employer, or any overseer, superintendent, or agent of such person, telegraph company, telephone company or messenger company who shall violate any of the provisions of this act [s 151–153] shall, upon conviction thereof, be fined for each offense not less than ten dollars nor more than five hundred dollars, or be imprisoned in the county jail not to exceed six months, or by [suffer] both such fine and imprisonment. [P C 1912 t 1291 s 153][1]

STORES, OFFICES, ETC.

SEATS FOR GIRLS

Seats to be provided and their use permitted.—It shall be the duty of every agent, proprietor, superintendent, or employer of female help in stores, offices or schools within the State of Washington, to provide for each and every such employee a chair, stool, or seat, upon which such female worker or workers shall be allowed to rest when their duties will permit, or when such rest shall or does not interfere with a faithful discharge of their incumbent duties. [P C 1912 t 291 s 155]

Penalty.—A violation of any of the provisions of section 1 [155] of this act [s 155–157] shall be deemed a misdemeanor, and upon conviction thereof by any court of competent jurisdiction, shall subject the person offending to a fine of not less than ten dollars nor more than fifty dollars. [P C 1912 t 291 s 157]

COAL MINES

MINIMUM AGE AND AGE CERTIFICATES

Employment of boys under 16 and girls of any age for inside work prohibited; outside employment of boys under 14 prohibited; exceptions; certificate of age in case of doubt.—No boy under the age of sixteen years and no female of any age shall be employed or permitted to be in any [coal] mine for the purpose of employment therein, nor shall a boy under the age of fourteen years be employed or permitted to be in or about the outside structures or workings or [of] the colliery for the purpose of employment: *Provided*, That this prohibition shall not affect the employment of boys of suitable age in an office or in the performance of clerical work at the colliery. When an employer is in doubt as to the age of any boy applying for employment in or about a mine or colliery, he shall demand and receive proof of the age of such boy by certificate from the parents or guardian of such boy before he shall be employed. [P C 1912 t 345 s 143]

Penalty.—Any person violating any of the provisions of this act [s 127–165], shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than five hundred ($500) dollars nor less than two hundred ($200) dollars. [P C 1912 t 345 s 163]

HOURS OF LABOR

Eight hours a day underground; penalty for employer.—It shall be unlawful for any person, firm, or corporation operating any coal mine, within the State of Washington, to cause any employee to remain at his place of work, where the same is situated underground, for more than eight (8) hours, exclusive of one-half (½) hour for lunch, in any one calendar day of twenty-four (24) hours. Any person, firm or corporation, or the agent of any person, firm or corporation, violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten dollars ($10) or more than one hundred dollars ($100) for each offence. [P C 1912 t 345 s 177]

Eight hours a day underground; penalty for employee.—It shall be unlawful for any person in the employ of any person, firm, or corporation operating any coal mine, within the State of Washington, to willfully remain at, or in his working place, where the same shall be underground, to exceed eight (8) hours, exclusive of one-half (½) hour for lunch, in any one calendar day of twenty-four (24) hours. Any person violating the

[1] This section may have been repealed by section 2, chapter 249, of the Acts of 1909.

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provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five dollars ($5) or more than twenty dollars ($20) for each offense. [P C 1912 t 345 s 179]

Exceptions; 10 hours a day for engineers, etc.—The provisions of this act [s 177–182] shall not apply to, or prohibit engineers, rope riders, motormen, cagers, or others necessarily employed in transporting men in and out of the mine: *Provided however*, That all persons so employed shall not work more than ten (10) hours in any one calendar day: *And provided further*, That this act shall not be construed to prohibit extra hours of employment underground, necessitated by a weekly change of shift, or where rendered necessary by reason of any accident, or for the purpose of making unavoidable repairs, or for the protection of property or human life. [P C 1912 t 345 s 181]

Enforcement: duties of State inspector of coal mines.—It shall be the duty of the State inspector of coal mines to enforce the provisions of this act [s 177–182]. [P C 1912 t 345 s 182]

EDUCATIONAL REQUIREMENTS

SCHOOL CENSUS

Enumeration of children from 5 to 21 in districts of the first class.—The board of directors shall annually in May of each year, cause to be taken an enumeration of all persons between the ages of five and twenty-one years residing in the district, said enumeration shall be made on blanks or books provided by the district and shall contain such items as the superintendent of public instruction shall require, including the following: The names of all persons, male and female, between the ages of five and twenty-one years residing in the district on the first day of May last past; the date of birth of such child; the names and residences of the parents or guardians of all such children. The census shall be taken by the secretary and such enumerators as he shall select, subject to the approval of the board or its proper committee. The enumerators shall receive such compensation as the board may deem just. Each enumerator shall verify by oath the correctness of his report. The secretary of the district shall report to the county superintendent of schools on or before the 15th day of the ensuing July, the total number of males and the total number of females enumerated * * *. [P C 1912 t 413 s 427]

Enumeration of children from 5 to 21 in districts of the second and third classes.—The duties of the district clerk shall be as follows: * * *. Third. To take annually in May of each year, an exact census of all children and youth between the ages of five and twenty-one years who were bona fide residents of the district on the first day of May of that year. He shall designate the name and sex of each child, and the date of its birth; the number of weeks it has attended school during the school year, and its post-office address. Parents or guardians must be required to sign a certified statement of the correctness of this report * * *. [P C 1912 t 413 s 489]

EDUCATIONAL REQUIREMENTS—ALL OCCUPATIONS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15; from 15 to 16 if not regularly and lawfully employed; exceptions.—All parents, guardians and other persons in this State having or who may hereafter have immediate custody of any child between eight and fifteen years of age (being between the eighth and fifteenth birthdays), or of any child between fifteen and sixteen years of age (being between the fifteenth and sixteenth birthdays) not regularly and lawfully engaged in some useful and remunerative occupation, shall cause such child to attend the public school of the district, in which the child resides, for the full time when such school may be in session or to attend a private school for the same time, unless the superintendent of the schools of the district in which the child resides, if there be such superintendent, and in all other cases the county superintendents of common schools, shall have excused such child from such attendance because the child is physically or mentally unable to attend school or has already attained a reasonable proficiency in the branches required by law to be taught in the first eight grades of the public schools of this State as provided by the course of study of such school, or for some other sufficient reason. Proof of absence from public schools or approved private school shall be prima facie evidence of a violation of this section. [P C 1912 t 413 s 839]

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EMPLOYMENT CERTIFICATES

Certificates required under 15 for employment during school hours; school authorities to issue certificates; contents of certificate; evidence of violation.—No child under the age of fifteen years shall be employed for any purpose by any corporation, person or association of persons in this State during the hours which the public schools of the district in which such child resides are in session, unless the said child shall present a certificate from a school superintendent as provided for in section one [839] of this act [s 839–861] excusing the said child from attendance in the public schools and setting forth the reason for such excuse, the residence and age of the child, and the time for which such excuse is given. Every owner, superintendent, or overseer of any establishment, corporation, company or person employing any such child shall keep such certificate on file so long as such child is employed by him, her or it. The form of said certificate shall be furnished by the superintendent of public instruction. Proof that any child under fifteen years of age is employed during any part of the period in which public schools of the district are in session, shall be deemed prima facie evidence of a violation of this section. [P C 1912 t 413 s 841]

ENFORCEMENT AND PENALTIES

Penalty; duties of attendance officers.—Any person violating any of the provisions of either of the two preceding sections [839 and 841] shall be fined not more than twenty-five dollars. Attendance officers shall make complaint for violation of the provisions of this act [s 839–861] to a justice of the peace or to a judge of the superior court. [P C 1912 t 413 s 843]

Appointment, duties, and powers of attendance officers.—To aid in the enforcement of this act [s 839–861], attendance officers shall be appointed and employed as follows: In incorporated city districts the board of directors shall annually appoint one or more attendance officers. Any attendance officer may be a sheriff, constable, a city marshal, or a regularly appointed policeman. In all other districts the county superintendent shall act as attendance officer, and he shall also have authority to appoint one or more assistant attendance officers to aid him in the performance of his duties as attendance officer. * * * The attendance officer shall be vested with police powers, the authority to make arrests and serve all legal processes contemplated by this act, and shall have authority to enter all stores, mills, shops, or other places in which children may be employed, for the purpose of making such investigations as may be necessary for the enforcement of this act. The attendance officer is authorized to take into custody the person of any child between eight and fifteen years of age, who may be a truant from school, and to conduct such child to his parents, for investigation and explanation, or to the school which he should properly attend. The attendance officer shall institute proceedings against any officer, parent, guardian, person, company or corporation violating any provisions of this act, and shall otherwise discharge the duties prescribed in this act, and shall perform such other services as the superintendent of schools or the board of directors may deem necessary. * * * [P C 1912 t 413 s 845]

Duties of principals, teachers, etc.—It shall be the duty of the district clerk or secretary, at the beginning of each school year, to provide the teacher with a copy of the last census of school children taken in his school district: *Provided*, That if there be a principal or city superintendent in such district, the clerk or secretary shall make such census report to him, and it shall be the duty of every teacher to report to the proper truant officer, all cases of truancy or incorrigibility in his or her school, immediately after the offense or offenses shall have been committed: *Provided further*, That if there be a principal the report shall be made to him and by him transmitted to the truant officer: *And provided further*, That if there be a city superintendent, the principal shall transmit such report to said city superintendent, who shall transmit such report to the proper truant officer of his district. [P C 1912 t 413 s 849]

ALL OCCUPATIONS

MINIMUM WAGE AND CONDITIONS OF LABOR

Inadequate wages and insanitary conditions of labor declared pernicious in their effect on health and morals of women and minors.—The welfare of the State of Washington demands that women and minors be protected from conditions of labor which have a pernicious effect on their health and morals. The State of Washington, therefore, exercising herein its police and sovereign power declares that inadequate wages and unsanitary conditions of labor exert such pernicious effect. [1913 C 174 s 1]

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Unlawful to employ women or minors under such conditions.—It shall be unlawful to employ women or minors in any industry or occupation within the State of Washington under conditions of labor detrimental to their health or morals; and it shall be unlawful to employ women workers in any industry within the State of Washington at wages which are not adequate for their maintenance. [1913 C 174 s 2]

Industrial welfare commission established; purpose.—There is hereby created a commission to be known as the "industrial welfare commission" for the State of Washington, to establish such standards of wages and conditions of labor for women and minors employed within the State of Washington, as shall be held hereunder to be reasonable and not detrimental to health and morals, and which shall be sufficient for the decent maintenance of women. [1913 C 174 s 3]

Organization of commission.—Said commission shall be composed of five persons, four of whom shall be appointed by the governor, as follows: The first appointments shall be made within thirty (30) days after this act takes effect; one for the term ending January 1st, 1914; one for the term ending January 1st, 1915; one for the term ending January 1st, 1916; and one for the term ending January 1st, 1917: *Provided however*, That at the expiration of their respective terms, their successors shall be appointed by the governor to serve a full term of four years. No person shall be eligible to appointment as a commissioner hereunder who is, or shall have been at any time within five years prior to the date of such appointment a member of any manufacturer's or employer's association or of any labor union. The governor shall have the power of removal for cause. Any vacancies shall be filled by the governor for the unexpired portion of the term in which the vacancy shall occur. The commissioner of labor of the State of Washington shall be ex officio member of the commission. Three members of the commission shall constitute a quorum at all regular meetings and public hearings. [1913 C 174 s 4]

Compensation; secretary.—The members of said commission shall draw no salaries. The commission may employ a secretary whose salary shall be paid out of the moneys hereinafter appropriated. * * * [1913 C 174 s 5]

Commission to ascertain wages and conditions of labor of women and minors; powers.—It shall be the duty of the commission to ascertain the wages and conditions of labor of women and minors in the various occupations, trades and industries in which said women and minors are employed in the State of Washington. To this end, said commission shall have full power and authority to call for statements and to examine, either through its members or other authorized representatives, all books, pay rolls or other records of all persons, firms and corporations employing females or minors as to any matters that would have a bearing upon the question of wages of labor or conditions of labor of said employees. [1913 C 174 s 6]

Records to be kept by employers.—Every employer of women and minors shall keep a record of the names of all women and minors employed by him, and shall on request permit the commission or any of its members or authorized representatives to inspect such record. [1913 C 174 s 7]

Minor defined as child under 18.—For the purposes of this act a minor is defined to be a person of either sex under the age of eighteen (18) years. [1913 C 174 s 8]

Public hearings; power to subpœna witnesses, etc.—The commission shall specify times to hold public hearings, at which times employers, employees or other interested persons may appear and give testimony as to the matter under consideration. The commission shall have power to subpœna witnesses and to administer oaths. All witnesses subpœnaed by the commission shall be paid the same mileage and per diem allowed by law for witnesses before the superior court in civil cases. [1913 C 174 s 9]

Method of establishing "conference"; its powers, duties, and recommendations.—If, after investigation, the commission shall find that in any occupation, trade or industry, the wages paid to female employees are inadequate to supply them necessary cost of living and to maintain the workers in health, or that the conditions of labor are prejudicial to the health or morals of the workers, the commission is empowered to call a conference composed of an equal number of representatives of employers and employees in the occupation or industry in question, together with one or more disinterested persons representing the public; but the representatives of the public shall not exceed the number of representatives of either of the other parties; and a member of the commission shall be a member of such conference and chairman thereof. The commission shall make rules and regulations governing the selection of representatives and the mode of procedure of said conference, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of said conference. On request of the commission, it shall be the duty of the conference to recommend to the commission an estimate of the minimum wage

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adequate in the occupation or industry in question to supply the necessary cost of living, and maintain the workers in health, and to recommend standards of conditions or labor demanded for the health and morals of the employees. The findings and recommendations of the conference shall be made a matter of record for the use of the commission. [1913 C 174 s 10]

Commission empowered to fix minimum wage and conditions of labor; employers to post orders.—Upon the receipt of such recommendations from a conference, the commission shall review the same and may approve any or all of such recommendations, or it may disapprove any or all of them and recommit the subject or the recommendations disapproved of, to the same or a new conference. After such approval of the recommendations of a conference the commission shall issue an obligatory order to be effective in sixty (60) days from the date of said order, or if the commission shall find that unusual conditions necessitate a longer period, then it shall fix a later date, specifying the minimum wage for women in the occupation affected, and the standard conditions of labor for said women; and after such order is effective, it shall be unlawful for any employer in said occupation to employ women over eighteen (18) years of age for less than the rate of wages, or under conditions of labor prohibited for women in the said occupation. The commission shall send by mail so far as practicable to each employer in the occupation in question a copy of the order, and each employer shall be required to post a copy of said order in each room in which women affected by the order are employed. When such commission shall specify a minimum wage hereunder the same shall not be changed for one year from the date when such minimum wage is so fixed. [1913 C 174 s 11]

Reconsideration of decisions.—Whenever wages or standard conditions of labor have been made mandatory in any occupation, upon petition of either employers or employees, the commission may at its discretion reopen the question and reconvene the former conference or call a new one, and any recommendations made by such conference shall be dealt with in the same manner as the original recommendations of a conference. [1913 C 174 s 12]

Special individual minimum wage may be granted woman physically defective.—For any occupation in which a minimum rate has been established, the commission through its secretary may issue to a woman physically defective or crippled by age or otherwise, or to an apprentice in such class of employment or occupation as usually requires to be learned by apprentices, a special license authorizing the employment of such licensee for a wage less than the legal minimum wage; and the commission shall fix the minimum wage for said person, such special license to be issued only in such cases as the commission may decide the same is applied for in good faith and that such license for apprentices shall be in force for such length of time as the said commission shall decide and determine is proper. [1913 C 174 s 13]

Commission empowered to determine wages and conditions of labor for minors; method of procedure.—The commission may at any time inquire into wages, and conditions of labor of minors, employed in any occupation in the State and may determine wages and conditions of labor suitable for such minors. When the commission has made such determination in the cases of minors it may proceed to issue an obligatory order in the manner provided for in section 11 of this act, and after such order is effective it shall be unlawful for any employer in said occupation to employ a minor for less wages than is specified for minors in said occupation, or under conditions of labor prohibited by the commission for said minors in its order. [1913 C 174 s 14]

Commissioner of labor to furnish statistics.—Upon the request of the commission the commissioner of labor of the State of Washington shall furnish to the commission such statistics as the commission may require. [1913 C 174 s 15]

Testimony of employee not to cause discharge or discrimination; penalty.—Any employer who discharges, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of from twenty-five dollars ($25.00) to one hundred dollars ($100) for each such misdemeanor. [1913 C 174 s 16]

Penalty for paying less than minimum wage established.—Any person employing a woman or minor for whom a minimum wage or standard conditions of labor have been specified, at less than said minimum wage, or under conditions of labor prohibited by the order of the commission; or violating any other of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00). [1913 C 174 s 17]

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Complaints and investigations.—Any worker or the parent or guardian of any minor to whom this act applies may complain to the commission that the wages paid to the workers are less than the minimum rate and the commission shall investigate the same and proceed under this act in behalf of the worker. [1913 C 174 s 17½]

Right to recover balance when paid less than minimum wage.—If any employee shall receive less than the legal minimum wage, except as hereinbefore provided in section 13, said employee shall be entitled to recover in a civil action the full amount of the legal minimum wage as herein provided for, together with costs and attorney's fees to be fixed by the court, notwithstanding any agreement to work for such lesser wage. In such action, however, the employer shall be credited with any wages which have been paid upon account. [1913 C 174 s 18]

Right of appeal from decisions.—All questions of fact arising under this act shall be determined by the commission and there shall be no appeal from its decision upon said question of fact. Either employer or employee shall have the right of appeal to the superior court on questions of law. [1913 C 174 s 19]

Biennial reports.—The commission shall biennially make a report to the governor and State legislature of its investigations and proceedings. [1913 C 174 s 20]

TELEPHONE INDUSTRIES

WAGES, HOURS AND CONDITIONS OF LABOR

Power of industrial welfare commission to establish standards for women and minors in rural communities, etc.; application of act.—The industrial welfare commission is hereby authorized, in such manner as it shall deem advisable, and upon notice and hearing to parties directly affected thereby, to ascertain and establish such standards of wages, hours of work and conditions of labor of women and minors employed in the telephone industry in rural communities and in cities of less than three thousand (3,000) population, as shall be found to be reasonable and not detrimental to the health and morals of such women and minors and which shall be sufficient for the decent maintainance of such women and minors, and notwithstanding any statute heretofore passed or regulations of such commission heretofore made relative thereto: *Provided*, That nothing in this act contained shall be construed to amend or repeal any law or any regulation relating to wages, hours of labor or conditions of labor of women or minors excepting as in this act authorized. [1915 C 68 s 1]

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WEST VIRGINIA

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Powers of commissioner of labor.—The commissioner of labor shall have power, in the discharge of his duties, to enter and inspect * * * any factory, workshop or other place where labor is employed. * * *. [Hogg's Code 1913 Chapter 15H section 464 as amended by 1915 C 12 s 3]

Appointment of factory inspectors.—The commissioner of labor, shall by written order filed with the governor, appoint not more than two factory inspectors who shall be under the supervision of the commissioner of labor. The commissioner of labor may at any time when the conditions are changed or in his discretion the good of the service requires, by an order filed with the governor, divide the State into inspection districts as to him may seem advisable. [1915 C 12 s 6]

COAL MINES

ENFORCEMENT

Duties of department of mines.—There is hereby created an executive department to be known as the "department of mines" which shall have for its purpose the supervision of the execution and enforcement of all State laws pertaining to the inspection of mines, heretofore and hereafter enacted for the safety of persons employed within or at the mines within this State * * * . [H C 1913 C 15H s 469 as amended by 1915 C 10 s 1]

Duties of mine inspectors; penalty for mine inspectors.—Each of the district mine inspectors shall * * * visit each mine in his district at least once in every three months, or oftener if called upon in writing by ten men engaged in any one mine, or the owner, operator or superintendent of such mine * * * and he shall see that all the provisions of the mining statutes are strictly carried out, and it shall be unlawful for any district mine inspector to appoint any deputy or other person to do and perform any work required of such inspector. Any mine inspector failing to comply with the requirements of this act [s 469–495 as amended and reenacted by 1915 C 10] shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars and be dismissed from office. [H C 1913 C 15H s 470 as amended by 1915 C 10 s 11, 14]

MINIMUM AGE

Employment of boys under 14 and girls of any age prohibited; affidavit of age required; penalty for violation of act, or false statement.—No boy under fourteen years of age, nor female persons of any age, shall be permitted to work in any coal mine. Whenever any boy is so employed the parent or guardian of such boy shall make affidavit that his age is fourteen years or more, which affidavit shall be immediately filed with

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the employer, in duplicate, one of which said affidavits, in duplicate, shall be immediately filed with the district inspector of the district in which the mine is located, which affidavit shall as to the employer, be conclusive as to the age of such boy. Any operator, agent or mine foreman who shall knowingly violate the provisions of this section, or any person knowingly making a false statement as to the age of any boy under fourteen years of age, applying for work in any coal mine, shall, upon conviction, be fined not less than ten nor more than one hundred dollars, or be imprisoned in the connty jail not less than ten nor more than ninety days, in the discretion of the court. [H C 1913 C 15H s 485 as amended by 1915 C 10 s 32]

Court decisions.—A violation of this section constitutes actionable negligence.—Norman *v.* Virginia Pocohontas Coal Co., 69 S. E. 857 (1910); Burke *v.* Big Sandy Coal & Coke Co., 69 S. E. 992 (1911). Where an affidavit was required by the employer and not furnished, misrepresentation as to the boy's age did not defeat a recovery for injury sustained while employed in violation of the statute.—Blankenship *v.* Ethel Coal Co., 70 S. E. 863 (1911). But a father could not recover since he consented to the employment of the child in violation of the statute, which constituted contributory negligence.—Dickenson *v.* Stuart Colliery Co., 71 W. Va. 325, 76 S. E. 654 (1912). Employment in violation of the statute is prima facie negligence, exempting the child from the defense of contributory negligence.—Honaker *v.* Coal Co., 71 W. Va. 177, 76 S. E. 180 (1912).

Employment from 14 to 16 during school hours prohibited; affidavit of age required; employment under 16 in any dangerous position prohibited; penalty for violation of act or false statement.—It shall be unlawful for any person, operator, agent or mine foreman, to employ or permit any boy between the ages of fourteen and sixteen years, to work in or about a coal mine at any time in which a free school is in session in the school district where said boy resides. Before any person, operator, agent or mine foreman, employs or permits any boy to work in or about a coal mine at any time in which a free school is in session in the school district where said boy resides, he shall require from the parent or guardian of such boy, affidavits in duplicate, that such boy has, at the time of his employment or permission to work, reached the age of sixteen years. A duplicate of said affidavit, or affidavits, shall be immediately forwarded to the district inspector of the district in which the mine is located. No boy under the age of sixteen shall be employed or permitted to work in or about any coal mine, at any time in a position which, in the opinion of the district inspector, is hazardous. Any person violating the provisions of this section, or making any false statement in the affidavit required herein, shall be guilty of a misdemeanor and upon conviction, fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned in the county jail not more than thirty days, in the discretion of the court. [1915 C 10 s 33]

Application of act.—The provisions of this act [s 469–495 as amended and reenacted by 1915 C 10] shall apply only to coal mines in which five or more persons are employed in a period of twenty-four hours; but no mine employing less than ten men shall be required to employ a mine foreman. [H C 1913 C 15H s 495 as amended by 1915 C 10 s 86]

DANGEROUS OCCUPATIONS

MINIMUM AGE

Cleaning machinery in motion prohibited for minors.—* * * No minor or female of any age shall be permitted to clean any of the mill gearing or machinery in such establishments [manufacturing, mechanical, mercantile, and other establishments] while the same is in motion. [H C 1913 C 15H s 518]

Court decision.—A violation of this section may show negligence of the employer.—Parfitt *v.* Sterling Co., 68 W. Va. 438, 69 S. E. 985 (1910).

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate toilets for the sexes; separate dressing rooms if needed.—In every factory, workshop or establishment, in this State, where females are employed, where unclean work of any kind has to be performed, suitable places shall be provided for such females to wash and to change clothing, * * * and separate water-closets shall be provided for the use of employees of either sex, in all manufacturing, mechanical, mercantile and other establishments in this State where persons of both sexes are employed. [H C 1913 C 15H s 520]

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SEATS FOR GIRLS

Seats to be provided and their use permitted.—In every manufacturing, mechanical, mercantile and other establishments, in this State, wherein females are employed, there shall be provided, and conveniently located, seats sufficient to comfortably seat such females; and during such times as such females are not necessarily required by their duties to be upon their feet, they shall be allowed to occupy the seats provided. [H C 1913 C 15H s 521]

REGULATED OCCUPATIONS

PENALTIES AND ENFORCEMENT

Violation of act.—Any person or persons, firm or corporation of any manufacturing, mechanical, mercantile or other establishment, business or calling, in this State, to which this act [s 518–526] applies, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, in any court of competent jurisdiction in this State, shall be fined not less than twenty dollars nor more than one hundred dollars, and in default of payment of such fine shall be imprisoned until such fine and costs are fully paid. [H C 1913 C 15H s 523]

Duties of commissioner of labor.—It shall be the duty of the commissioner of labor or his assistant to enforce the provisions of this act [s 518–526], and to prosecute all violations of the same before any magistrate or court of competent jurisdiction in this State. [H C 1913 C 15H s 524]

MANUFACTURING ESTABLISHMENTS, FACTORIES, WORKSHOPS, ETC.

MINIMUM AGE

Employment under 14 prohibited; permits required for employment under 14 in any occupation during school hours.—No child under the age of fourteen years shall be employed, permitted or suffered to work in, about or in connection with any factory, mill, workshop or manufacturing establishment. It shall be unlawful for any person, firm, or corporation without written permission from the State commissioner of labor or county superintendent of free schools to employ any child under fourteen years of age in any business or service whatever during the hours when the public schools of the district in which the said child resides are actually in session. [H C 1913 C 15H s 530]

EMPLOYMENT CERTIFICATES

Certificates required under 16; to be returned to issuing office; school authorities to issue certificates; exceptions; age, school, and health records required; method of issuing and contents of certificates.—No child under the age of sixteen shall be employed, permitted or suffered to work in, about or in connection with any of the establishments or occupations named in section one [530] of this act [s 530–533], unless the person, firm or corporation employing such child procures and keeps on file, accessible to any truant officer, inspector of factories or authorized agent of the humane society, an employment certificate as hereinafter prescribed. On termination of employment of a child whose employment certificate is on file, such certificate shall be forthwith returned by the employers to the person who issued the same. The employment certificate shall be issued only by the superintendent of schools, or by persons authorized by him in writing, or where there is no superintendent of schools, then by a person authorized by the local school board: *Provided*, That no member of a school board or other person authorized, as aforesaid, shall have authority to issue such certificates to any child then in or about to enter such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined and approved and filed the following papers duly executed:

1. The school record of such child properly filled out and signed.
2. A passport or duly attested transcript of the school census record, showing the date and place of birth of such child.
3. The affidavit of the parent or guardian or custodian of such child (which shall be required, however, only in case no one of the above mentioned proofs of age is obtainable), showing the date and place of birth of such child. Such affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath without demanding or receiving any fee therefor.

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No employment certificate shall be issued until the child in question has personally appeared before the officer issuing the certificate nor until such officer has satisfied himself that the child can read and write legibly simple sentences in the English language, and that the child is fourteen years of age or upwards and has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work it intends to do, which shall be stated. In all cases of doubt such development, health and physical fitness shall be determined by a medical officer of the board or department of health, or by a physician appointed by the school board.

Every such employment certificate shall state the race, residence, sex, and the date and place of birth of the child, and that the papers required by the preceding sections have been duly examined, approved and filed. Every such certificate shall be signed in the presence of the officer issuing the same, by the child in whose name it is issued, and it shall show the date of its issue; the school record required by the act shall be signed by the principal or other chief executive officer of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child is able to read and legibly write simple sentences in the English language, and has received instruction equivalent to that given in the first four grades of the common schools. Such school record shall also give the date of birth and residence of the child as shown on the records of the school. The employment certificate provided for must be formulated by the State superintendent of free schools and furnished in blank by the clerk of the local school board. [H C 1913 C 15H s 531]

REGULATED OCCUPATIONS

ENFORCEMENT AND PENALTY

Parent, employer, etc.—Whoever, whether he be the employer, parent, guardian or custodian of any child, employs, permits or suffers such child to be employed or to work in violation of any of the provisions of this act [s 530–533], shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars nor more than fifty dollars for each and every offense. [H C 1913 C 15H s 532]

Duties of truant officers, factory inspectors, prosecuting attorneys, etc.—It shall be the duty of the prosecuting attorney to enforce the provisions of this act [s 530–533] and to prosecute any person, firm or corporation charged with violation of the same, before any magistrate or court of competent jurisdiction in this State; and it shall be the duty of the truant officers, inspectors of factories and authorized agents of the humane society to expose all violations of this act to the prosecuting attorney. * * * [H C 1913 C 15H s 533]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 8 to 15; exceptions; penalty.—Every person having under his control a child between the age of eight and fifteen years shall cause such child to attend some free school for a period of twenty-four weeks, yearly, beginning with the opening of the school term. For every neglect of such duty, the person offending shall be guilty of a misdemeanor, and shall upon conviction thereof, before any justice, who is hereby authorized to try and determine such cases, be fined two dollars for the first offense, and five dollars for each subsequent offense, which fine shall be paid into the building fund of the district in which said offense occurred. An offense as understood herein shall consist in the failure of such persons for two days in any week to cause such child to attend school, except in cases of sickness or death in the pupil's family, or other reasonable cause, or unless the pupil be thoroughly and systematically instructed for a like period of time elsewhere: *Provided*, There be a school in session within two miles of the pupil's home, by the nearest traveled road. [H C 1913 C 45 s 2113]

NOTE.—[Chapter 104 of the Acts of 1915 creates the independent school district of Pennsboro and enacts for that district compulsory school attendance provisions, with exemptions, for children from 7 to 15 years of age, to be in effect if adopted by a majority of the votes cast at an election to be held May 18, 1915, in the district of Clay. No information could be secured as to whether the act was adopted.]

Enforcement: duties of truant officers.—The board of education of every district or independent district at its first annual meeting, or as soon thereafter as practicable, shall appoint one or more truant officers whose duty it shall be to enforce the provisions

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hereof. Each officer so appointed shall use due diligence to ascertain any violation of this law, and when from personal knowledge or by report or complaint from any resident or teacher of the district under his supervision he believes that any child subject to the provisions hereof has been absent from school for two days he shall immediately give written notice to the parent, guardian or custodian of such child that the attendance of such child at school is required, and if such parent, guardian or custodian of said child does not comply with the provisions of this section at once, then such truant officer shall make complaint against such parent, guardian or custodian before the nearest justice of the peace: *Provided*, That for subsequent offenses in any one year no such notice shall be required. [H C 1913 C 45 s 2114]

Penalty for inducing nonattendance or for illegal employment.—Any person who induces or attempts to induce any such child unlawfully to absent himself from school, or who harbors or employs any such child unlawfully absent from school while the school in the district in which such child lives is in session, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of twenty-five dollars, and may be imprisoned ten days. [H C 1913 C 45 s 2115]

SCHOOL CENSUS

Enumeration of children of school age.—The teacher or teachers in each subdistrict or independent district shall annually before the close of the school or schools, and not later than the first day of April, take and report an enumeration of all the youth residing in such subdistrict or independent district, who will be of school age on the first day of July following, distinguishing between males and females, white and colored. [H C 1913 C 45 s 2156]

Enumeration of children from 6 to 21.—The enumeration shall be taken and reported in separate classes as follows: All youth between six and sixteen years of age; all youth between six and twenty-one years of age, and all youth between eight and fifteen years of age, and, in districts where kindergartens have been established by the board of education, all children between four and six years of age. The report of enumeration shall be verified by the affidavit of the person who made it to the effect that he used all means in his power to make it; and that he believes it to be correct. He shall deliver such report to the secretary of the board of education with the term report of such school, or not later than the first day of April, and, unless such enumeration be properly taken and reported by the teacher within the time required herein, the secretary shall deduct from the last month's salary of such teacher such amount as may be necessary to defray the expenses of taking said enumeration as hereinafter provided for. [H C 1913 C 45 s 2157]

Secretary to employ person to take census under certain conditions.—When such enumeration for any district or subdistrict is not received by the secretary [of the board of education] on or before the first day of April, it shall be his duty, without delay, to employ a competent person to take and report the same as aforesaid. The person taking and reporting such enumeration shall be paid a reasonable compensation by the board of education not to exceed two dollars per day, for the time necessarily consumed, by an order on the sheriff, out of the building fund of the district. [H C 1913 C 45 s 2158]

RAILROADS [1]

HOURS OF LABOR

Eight hours a day for telegraph and telephone operators; application of act; exceptions.—It shall be unlawful for any person, corporation or association, operating a railroad within this State to permit any person employed by them, or on their railroad, in the capacity of telephone or telegraph operator, whose duty it is to space or block trains or engines, or handle train orders governing the movement of trains or engines, or handling interlocking switches governing the movement of trains or engines, to permit such telephone or telegraph operator so employed to be on duty more than eight hours in any twenty-four consecutive hours: *Provided*, That the provisions of this act [s 3023–3024] shall apply only to such parts of a railroad where three or more passenger trains pass each way in twenty-four consecutive hours, or where ten or more freight trains pass each way in twenty-four consecutive hours, or at any office where said telegraph or telephone operators are employed twenty or more hours in twenty-four consecutive hours: *And provided further*, That in case of necessity caused by the sickness of any such operators or by an accident on such railroad, such telephone and

[1] See court decision on page 7 (New York).

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telegraph operators may be permitted to be on duty for a period of twelve consecutive hours in any twenty-four consecutive hours, but such extension of time shall extend only for a period long enough to enable such railroad company to supply the required number of operators at such office, and shall in no case extend over a period of more than two days, nor under this provision shall it be lawful for any telegraph or telephone operator to be on duty twelve consecutive hours in any twenty-four consecutive hours for more than three times in any calendar month; but nothing in this act shall prevent any such company and operator agreeing to a longer day than eight hours, but in no case shall any such operator be permitted to be on duty longer than twelve consecutive hours in any twenty-four consecutive hours under such agreement. [H C 1913 C 54 s 3023]

Penalty.—Any person, corporation or association convicted of violating the provisions of this act [s 3023–3024] shall be guilty of a misdemeanor and pay a fine of one hundred dollars for the first offense, and for each offense committed after the first conviction hereunder, pay a fine of three hundred dollars. [H C 1913 C 54 s 3024]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 15 in rope walking, gymnastics, acrobatic performances, etc., prohibited; penalty.—Any person having the care, custody, or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away, or otherwise dispose of such child, or any person who shall take, receive or employ such child for the vocation or occupation of rope or wire walking or as an acrobat, gymnast, contortionist or rider, and any person who, having the care, custody, or control of any minor child whatsoever, shall sell, apprentice, give away or otherwise dispose of such child, or who shall take, receive or employ such child for any obscene, indecent or illegal exhibition or vocation, or any vocation injurious to the health, or dangerous to the life or limb, of such child engaged therein, or for the purpose of prostitution, and any person who shall retain, harbor, or employ any minor child in or about any assignation house or brothel, or any place where any obscene, indecent or illegal, exhibition takes place, shall be guilty of a misdemeanor, and shall be fined not less than five dollars, nor more than one hundred dollars, for each offense. [H C 1913 C 144 s 5176]

Employment under 18 in street singing, playing on musical instruments, etc., prohibited; penalty.—Any person having the care, custody, or control, lawful or unlawful, of any minor child under the age of eighteen years, who shall use such minor, or apprentice, give away, let out, hire or otherwise dispose of, such minor child to any person, for the purpose of singing, playing on musical instruments, begging or for any mendicant business whatsoever in the streets, roads, or other highways of this State, and whosoever shall take, receive, hire, employ, use or have in custody, any minor for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or begging upon the streets, roads or other highways of this State, or for any mendicant business whatever, shall be guilty of a misdemeanor and shall be fined not less than five dollars nor more than one hundred dollars. [H C 1913 C 144 s 5177]

Employment under 15 in places where intoxicating liquors are sold, etc., prohibited; penalty.—Any person having the care, custody, or control of any minor child under the age of fifteen years, who shall in any manner sell, apprentice, give away or permit such child to sing, dance, act, or in any manner exhibit it in any dance house, concert saloon, theater or place of entertainment where wines or spirituous or malt liquors are sold or given away, or with which any place for the sale of wines or spirituous or malt liquors is directly or indirectly connected by any passageway or entrance, and any proprietor of any dance house whatever, or any such concert saloon, theater, or place of entertainment, so employing any such child, shall be guilty of a misdemeanor, and shall be fined not less than five dollars nor more than one hundred dollars for each offense. [H C 1913 C 144 s 5178]

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WISCONSIN[1]

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Note.—[The duties and powers relating to the enforcement of labor laws, heretofore exercised by the commissioner of labor, factory inspectors, etc., have been transferred by Statutes, chapter 110a, section 2394-54 to the industrial commission and its deputies. In every case the new enforcing authority has been indicated by an insertion in brackets in the text, the former enforcing powers being omitted.]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL AND CONTINUATION, ETC., SCHOOL ATTENDANCE.

Children from 7 to 14; from 14 to 16 if not regularly employed; exceptions; penalty.—Any person having under his control any child between the ages of seven and fourteen years, or any child between the ages of fourteen and sixteen years not regularly and lawfully employed in any useful employment or service at home or elsewhere, shall cause such child to be enrolled in and to attend some public, parochial or private school regularly (regular attendance for the purpose of this statute shall be an attendance of twenty days in each school month, unless the child can furnish some legal excuse), in cities of the first class during the full period and hours of the calendar year (religious holidays excepted) that the public, parochial or private school in which such child is enrolled may be in session; in all other cities not less than eight school months; and in towns and villages not less than six school months in each year * * * : *Provided*, That this section shall not apply to any child not in proper physical or mental condition to attend school, who shall present the certificate of a reputable physician in general practice to that effect, nor to any child who lives in country districts more than two miles by the nearest traveled road from the school-

[1] All references are to 1913 Statutes with 1915 amendments, additions, etc.

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house in the district where such child resides: *Provided*, That if transportation is furnished by the district this exemption as to distance shall not apply, nor shall this section apply to any child who shall have completed the course of study for the common schools of this State or the first eight grades of work as taught in State graded or other graded schools of Wisconsin, and can furnish the proper diploma, certificate, or credential showing that he has completed one of said courses of study, or its equivalent. Instruction during the required period elsewhere than at school, by a teacher or instructor selected by the person having control of such child shall be equivalent to school attendance: *Provided*, That such instruction received elsewhere than in school be at least substantially equivalent to instruction given to children of like ages in the public, parochial or private school where such children reside. Any person who shall violate the provisions of this section shall upon conviction thereof, be punished by a fine of not less than five dollars nor more than fifty dollars, together with costs of prosecution, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment in the discretion of the court, for each offense. * * * [Statutes Chapter 27 section 439a.1 as renumbered by 1915 C 250]

Prosecution.—Prosecutions for violation of this section [s 439a] may also be brought in the juvenile court in and for the county in which such violations occur, and said court is hereby granted full and concurrent jurisdiction thereof. [St C 27 s 439a.2 as added by 1915 C 250]

Children from 14 to 16 to attend industrial, continuation or commercial schools; conditions.—Any person between the ages of fourteen and sixteen living within two miles of the school of any town, or within the corporate limits of any city or village and not physically incapacitated, who is not required by section 439a to attend some public, private or parochial school, must either attend some public, private, or parochial school, or attend for at least five hours a week, for six months, or four hours a week for eight months, an industrial, continuation, or commercial school, provided such school, or schools, are maintained according to the provisions of sections 553p–1 to 553p–9, inclusive, in the town, village or city in which his parents or guardians reside. This section [s 439a–1] shall apply only to persons between the ages of fourteen and sixteen living in towns and cities maintaining schools as provided in sections 553p–1 to 553p–9, inclusive of the Statutes. [St C 27 s 439a–1 as added by 1915 C 266]

Enforcement: appointment and duties of truant officers.—1. In all cities of the first class the board of education or any board having similar powers, shall appoint ten or more truant officers; in all cities of the second and third classes, such board shall appoint one or more truant officers, and in all cities of the fourth class the chief of police and the police officers may be truancy officers, whose duties it shall be to see that the provisions of this act [s 439a–439e] are enforced. 2. When of his personal knowledge, or by report or complaint from any resident of the city, or by report or complaint as provided herein, a truant officer believes that any child is unlawfully and habitually absent from school and not otherwise receiving instruction as provided in section 439a as amended, he shall immediately investigate and render all service in his power, to compel such child to attend some public, parochial or private school which the person having control of the child shall designate, or if over fourteen and under sixteen years of age, to attend school or become regularly employed at home or elsewhere, and upon failure he shall serve a written notice as required in section 4 [439cc.1] of this act and proceed as hereinafter provided against the person having charge of such child. And in all towns and villages the sheriff of the county, his undersheriff, and deputies shall be the truant officers, and it shall be the duty of all truant officers named in this section to enforce the provisions of this act as provided herein. [St C 27 s 439b]

Enforcement: powers of truant officers.—Any truant officer within this State shall have power to visit factories, workshops, mercantile establishments and other places of employment in their respective localities and ascertain whether any minors are employed therein contrary to law. They may require that the age and school certificates and lists of minors who are employed in such factories, workshops, mercantile establishments and other places of employment, shall be produced for their inspection, and they shall report all cases of such illegal employment to the school authorities of their respective cities, towns, villages or districts and to the [industrial commission]. Such truant officer shall receive no compensation from the State for performing such services. [St C 27 s 439ca]

Enforcement: duties of teachers, etc.; penalty.—It shall be the duty of the school clerk of every school district, the clerks of boards of education, and the clerks of subdistricts, or other officers whose duty it is to take the school census under the law, at the time

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of taking the school census of their respective districts, cities, or subdistricts, to make out three copies of such census reports, on blanks to be furnished by the State superintendent, and send one of such copies by mail, or otherwise to the proper superintendent on or before the fifteenth day of July of each year and at the time of the opening of school in his district, he shall deliver, with the register, a copy of such census report to the teacher employed in said district, and if the school consists of two or more departments the copy shall be placed in the hands of the principal. In case the district includes within its boundaries, territory lying in two or more counties it shall be the duty of the clerk of such district to make out separate copies of the census reports for each part of said joint district, and forward the same to the proper superintendents: *Provided*, That in all cities having a population of two thousand or more the clerk of the board of education or other officer, whose duty it is to take the school census shall not be required to furnish copies of the census returns to the county superintendent, city superintendent or teachers. Said clerks of boards of education and other officers who shall have the care and custody of the school census returns, shall have their offices open at all reasonable hours, and allow and assist superintendents, teachers, and truant officers to examine and secure information from the school census reports on file in their offices, that may, in any way, aid in the enforcement of the provisions of this act [s 439a–439e]. All teachers in public schools except teachers in high schools, shall at the request of the proper superintendent, while school is in session report to him. Said report shall show * * * the names and ages of all children enrolled in their respective schools between the ages of seven and fourteen and fourteen and sixteen, the names and post-office addresses of the parents or other persons having control of such children, the number of the district and the name of the town, city, village and county in which said children reside, the distance such child or children reside from the schoolhouse in the district in which they live by the nearest traveled road, the number of days each such child was present and the number of days such child was absent during each month and such other reports requested by him, said reports to be made on blanks to be furnished by the county, district or State superintendent. It shall be the duty of every school clerk, or the clerk of the board of education to deliver to the teachers in the public schools a sufficient number of blanks as described above, to supply said teachers for one school year: *Provided*, That when there shall be enrolled and in attendance at parochial or private schools, children residing in a county or counties other than the one in which the schoolhouse is located, the teachers in such parochial or private schools may make the reports hereinbefore described to the county, district or city superintendent of the county, or the city in which the children between the ages of seven and fourteen and fourteen and sixteen so attending, reside: *Provided further*, That in districts that include within their boundaries territory lying in two or more counties, or districts joint with cities having separate superintendents, it shall be the duty of the public school teachers in such joint districts to make separate reports as provided herein to the county, district or city superintendent of the county or city in which the children between the ages of seven and fourteen and fourteen and sixteen so attending reside: *And provided*, That the teachers in cities of two thousand population or more shall not be required to make the report provided herein, except when called upon to do so by the proper county or city superintendent. All teachers of private and parochial schools shall keep a record embodying all the data enumerated in this section, and such record shall be open to the inspection of all truant officers specified in this act, at any and all reasonable times: *And provided*, That when called upon by any truant officer, or superintendent, the teachers in private or parochial schools may furnish in writing on blanks furnished by the truant officer or superintendent the above-mentioned data in regard to any child or children between the ages of seven and fourteen and fourteen and sixteen who claim, or who are claimed to be in attendance upon said school; and every teacher in a public school shall, and every teacher in a private or parochial school may promptly notify the proper truant officer of any child whose attendance is habitually irregular: *Provided*, Such irregularity is not excused by any provision of this act. Any officer or teacher in a public school who shall fail or neglect to make the reports required by this section as required, or any teacher in a private or parochial school who shall fail to keep a record as required in this section shall be subject to a forfeiture of not less than five nor more than twenty-five dollars for each such failure or neglect, said forfeiture to be sued for by any voter of the district where such officer resides, or where such teacher is employed * * *. [St C 27 s 439cb]

Enforcement: duties of superintendents; names of truants to be reported to industrial commission.—It shall be the duty of the county, district and city superintendents, upon

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receiving the reports and information as provided in the preceding sections, to compare carefully the reports of attendance and enrollment, with the reports of the last school census on file in his office, and ascertain therefrom the names of all children who are not complying with the provisions of sections 439a to * * * [439cc.2], inclusive, and it shall be the duty of such superintendents to report the names of such children, together with the names and addresses of the parents or those having control of such children to the [industrial commission] at Madison, upon blanks furnished for that purpose, and to the proper truant officer of the county, district or city. The truant officer shall immediately upon receipt of such report, or when he obtains information of delinquencies, notify by registered mail, or by the service of notice in the same manner as provided for the service of summons in a civil case in a justice court, the parent or the person having control of such child or children, to cause such child or children to be sent to some public, parochial or private school within five days from the date notice is deposited, properly addressed in the post office, if notice is served by registered mail, or five days from the date of the personal service of said notice. [St C 27 s 439cc.1]

Enforcement: duties of truant officers.—The notice shall inform the parent or other person in parental relation that the law requires that all children between the ages of seven and fourteen, and between the ages of fourteen and sixteen, if not regularly employed as provided by sections 1728a to 1728j, inclusive, are to be in regular attendance at some school as provided in section 439a. It shall be the duty of all truant officers, after having given the notice hereinbefore described, to determine whether the parent or other person in parental relation has complied with the notice, and in case of failure to so comply, he shall immediately notify the [industrial commission] of such failure, and within three days after having knowledge of or having been notified thereof, make complaint against said parent or person in parental relation having the legal charge and control of such child or children, before any justice of the peace in the county, where such party resides. [St C 27 s 439cc.2]

Enforcement: duties of superintendents, truant officers, etc.; reports to industrial commission.—Each county and city superintendent of schools shall report to the industrial commission and to the proper truant officer within ten days after the close of each month, commencing with the month of October and concluding with the month of May in each year, the name of each child residing in the county, district, or city under his supervision who during said month has not complied with the provisions of section 439a of the Statutes, and the name and post-office address of the parent or guardian of such child. If any county or city superintendent has no names of delinquent children to report for any month as provided in this section, it shall be the duty of such superintendent promptly to notify the industrial commission of that fact. It shall be the duty of each county and city superintendent of schools to require suitable monthly reports from the teachers under his jurisdiction in order to assist such superintendent in preparing the aforesaid reports. Immediately upon serving the notice as provided in sections 439b and 439cc of the Statutes upon the parent or guardian of any child, it shall be the duty of the truant officer to notify the teacher of such child of such service. The return of the child to school shall be promptly reported by the teacher to the truant officer and superintendent. It shall be the duty of each truant officer to make a report each month to the industrial commission, showing the action taken by him in the cases of delinquency reported to him by the superintendent. Blanks for reports by superintendents to the industrial commission and to the truant officer shall be furnished by the industrial commission. [St C 27 s 439ce]

Penalty for superintendent of schools and truant officers.—Any superintendent of schools or any truant officer who violates or fails to comply with any of the provisions of sections 439b, 439cb, 439cc, and 439ce of the Statutes shall be subject to a forfeiture of not less than five nor more than twenty-five dollars for each such offense, which on complaint of the industrial commission may be recovered against such superintendent or truant officer in an action in debt brought by the attorney general before any court of competent jurisdiction. [St C 27 s 439cf]

Enforcement: duties of census officers.—It shall be the duty of all officers empowered to take the school census to ascertain the number of children between the ages of seven and thirteen years in their respective districts, the number of children between such ages who did not attend school, and, as far as possible, the cause of such failure to attend school. [St C 27 s 439e]

SCHOOL CENSUS

Enumeration of children from 4 to 20.—It shall be the duty of the district clerk, between the tenth and twenty-fifth days of July in each year, to make and transmit

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to the county or city superintendent, a written report bearing date as of the thirtieth day of June, of such year, signed by him and verified by his affidavit, showing:

First. The number, names and ages of children, male and female designated separately, over the age of four and under the age of twenty years residing in the district, and the names of their parents, guardians or other persons with whom such children resided, respectively, on the last day of June preceding. * * * [St C 27 s 462]

EDUCATIONAL REQUIREMENTS

COMPULSORY EVENING AND CONTINUATION SCHOOL ATTENDANCE

Enforcement: duties and powers of local boards of education.—In every town or village or city of over five thousand inhabitants—there shall be, and in towns, cities and villages of less than five thousand inhabitants there may be a local board of industrial education, whose duty it shall be to establish, foster and maintain schools[1] for instruction in trades and industries, commerce and household arts in part-time-day, all-day and evening classes and such other branches as are enumerated in subsection 1 of section 553 p–5 of the Statutes [English, citizenship, sanitation and hygiene and the use of safety devices, and such other branches as the State superintendent and the State board of industrial education shall approve]. * * * [Statutes C 27 s 553p–3.1 as amended by 1915 C 515]

Schools to be established whenever twenty-five persons qualified to attend petition therefor.—Whenever twenty-five persons qualified to attend an industrial, commercial, continuation or evening school file a petition therefor with the local board of industrial education the board shall establish such school or schools or provide other facilities as authorized in sections 553p–1 to 553p–15, inclusive. [Statutes C 27 s 553p–3.9]

CIGAR SHOPS AND CIGAR FACTORIES

HOURS OF LABOR

Eight hours a day, 48 a week, under 18.—No person under eighteen years of age shall be employed or permitted to work in a cigar shop or a cigar factory at manufacturing cigars for longer than eight hours a day or forty-eight hours a week. [St C 73a s 1636–106]

TOILETS AND DRESSING ROOMS FOR GIRLS

Separate for the sexes.—Where men and women are employed there shall be separate dressing rooms and water-closets for the different sexes. [St C 73a s 1636–107]

PENALTY AND ENFORCEMENT

Violation of act.—Any person violating any provision of sections 1636–101 to 1636–109, inclusive, shall be punished by fine not exceeding twenty-five dollars and no less than ten dollars for the first offense, and by fine not exceeding fifty dollars, and no less than twenty-five dollars for the second and each following offense. [St C 73a s 1636–108]

Duties and powers of industrial commission.—The [industrial commission] shall have full power and it shall be [its] duty to enforce all the provisions of sections 1636–101 to 1636–109, inclusive * * *. [St C 73a s 1636–109]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, ETC.

HOURS OF LABOR FOR GIRLS

Definition of terms.—The following terms as used in sections 1728–1 to 1728–4, inclusive, shall be construed as follows:

(1) The term "place of employment" shall mean and include any manufactory, mechanical or mercantile establishment, laundry, restaurant, confectionery store, or telegraph or telephone office or exchange, or any express or transportation establishment.

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[1] The following cities were maintaining such schools on January 1, 1915:
Appleton, Beaver Dam, Beloit, Chippewa Falls, Cudahy, Eau Claire, Fond du Lac, Grand Rapids, Green Bay, Janesville, Kenosha, La Crosse, Madison, Manitowoc, Marinette, Marshfield, Menasha, Menominee, Milwaukee, Neenah, Oshkosh, Racine, Sheboygan, South Milwaukee, Stevens Point, Superior, Two Rivers, Wausau, and West Allis.

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(2) The term "employment" shall mean and include any trade, occupation or process of manufacture, or any method of carrying on such trade or occupation in which any female may be engaged, or for any place of employment, as herein defined.

(3) The term "employer" shall mean and include every person, firm, corporation, agent, manager, representative, or other person having control or custody of any employment or place of employment, as herein defined.

(4) The terms "order," "general order," "special order," "safe," "safety," and "welfare" shall be construed as defined in section 2394–41 of the Statutes. [St C 83 s 1728–1]

Industrial commission to issue orders regulating the hours of labor for females; penalty for violation; provisional schedule of 10 hours a day, 55 a week, for day work, and 8 hours a night, 48 a week, for night work; 1 hour for meals each day or night.—No female shall be employed or be permitted to work in any place of employment or at any employment for such period or periods of time during any day, night or week, as shall be dangerous or prejudicial to the life, health, safety or welfare of such female. It shall be the duty of the industrial commission and it shall have power, jurisdiction and authority to investigate, ascertain, determine and fix such reasonable classification, and to issue general or special orders fixing a period or periods of time, or hours of beginning and ending work during any day, night or week, which shall be necessary to protect the life, health, safety or welfare of any female, or to carry out the purposes of section 1728–1 to 1728–4, inclusive, of the Statutes. Such investigations, classifications and orders, and any action, proceeding, or suit to set aside, vacate or amend any such order of said commission, or to enjoin the enforcement thereof, shall be made pursuant to the proceeding in sections 2394–41 to 2394–70, inclusive [creating and defining powers of industrial commission relating to orders concerning safety, etc.] of the Statutes, which are hereby made a part hereof, so far as not inconsistent with the provisions of sections 1728–1, 1728–2, 1728–3, and 1728–4 of the Statutes, and every order of the said commission shall have the same force and effect as the orders issued pursuant to said sections 2394–41 to 2394–70, inclusive, of the Statutes, and the penalties therein shall apply to and be imposed for any violation of sections 1728–1, 1728–2, 1728–3, and 1728–4 of the Statutes. Until such time as the industrial commission shall so investigate, ascertain, determine and fix, and shall issue general or special orders thereon, the periods of time specified in the attached schedule (see below) shall be deemed to be dangerous or prejudicial to the life, health, safety or welfare of females.

SCHEDULE.

At day work, more than ten hours in any one day, or more than fifty-five hours in any one week. At night work, more than eight hours in any one night, or more than forty-eight hours in any one week. Day work is work done between six o'clock a. m., and eight o'clock p. m., of the same day: *Provided*, That employment not more than one night in the week after eight o'clock p. m. shall not be considered night work. Night work is work done between eight o'clock p. m. and six o'clock a. m. of the following day. Less than one hour during each day or night for dinner or other meals. [St C 83 s 1728–2]

Hours to be posted; exceptions.—Every employer shall post in a conspicuous place in each of the several departments in or for which women are employed, a list on a printed form furnished by the industrial commission, stating the names and hours required of each woman during each day of the week, the hours of commencing and stopping work, and the period allowed for dinner or other meals. Such list need not be posted where time records are kept for inspection by the said commission for a period of at least six months prior to such inspection or where any other substitute equally effective for the enforcement of sections 1728–1 to 1728–4, inclusive, is approved by the commission. [St C 83 s 1728–3]

Enforcement: evidence of violation.—The employment of any female in any such employment or place of employment, as defined in section 1728–1, at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be prima facie evidence of a violation of this act [s 1728–1 to 1728–4]. Every day for each female employed, and every week for each female employed, during which any employer shall fail to observe or to comply with any order of the commission, or to perform any duty enjoined by sections 1728–1 to 1728–4, inclusive, of the Statutes, shall constitute a separate and distinct offense. [St C 83 s 1728–4]

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ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES

Permits required from 14 to 16; issued by industrial commission, judges of juvenile courts, etc.—No child between the ages of fourteen and sixteen years shall be employed, required, suffered or permitted to work at any time in any factory or workshop, store, hotel, restaurant, bakery, mercantile establishment, laundry, telegraph, telephone or public messenger service, or the delivery of any merchandise or at any gainful occupation, or employment, directly or indirectly, unless there is first obtained from the [industrial commission] or from the judge of a county court or municipal court or from the judge of a juvenile court where such child resides, a written permit authorizing the employment of such child within such time or times as the said [industrial commission], county judge, municipal judge, or judge of a juvenile court may fix: *Providing*, That such times shall not conflict with those designated in subsection 1, of section 1728c [St C 83 s 1728c.1], and that no officer herein mentioned shall have power to delegate the duty of granting permits to any subordinate officer or other person. [St C 83 s 1728a.1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS

MINIMUM AGE AND HOURS OF LABOR

Industrial commission to classify occupations, etc., and to issue orders prohibiting the employment of minors and females; penalty for violation; specific occupations provisionally prohibited under 21, under 18, under 16; constant standing and work in mines or quarries prohibited for girls.—No employer shall employ, require, permit or suffer any minor or any female to work in any place of employment, or at any employment dangerous or prejudicial to the life, health, safety or welfare of such minor, or such female, or where the employment of such minor may be dangerous or prejudicial to the life, health, safety or welfare of other employees or frequenters. It shall be the duty of the industrial commission, and it shall have power, jurisdiction and authority to investigate, ascertain, determine and fix such reasonable classifications of employments, and places of employment, minors and females, and to issue general or special orders prohibiting the employment of such minors or females in any employment or place of employment dangerous or prejudicial to the life, health, safety or welfare of such minor or such female, and to carry out the purposes of sections 1728a to 1728j, inclusive, of the Statutes. Such investigations, classifications and orders, and any action, proceeding, or suit to set aside, vacate or amend any such order of said commission, or enjoin the enforcement thereof, shall be made pursuant to the proceeding in sections 2394–41 to 2394–70, inclusive [creating and defining powers of industrial commission relating to orders concerning safety, etc.], of the Statutes, which are hereby made a part hereof, so far as not inconsistent with the provisions of sections 1728a to 1728j, inclusive, of the Statutes; and every order of the said commission shall have the same force and effect as the orders issued pursuant to said sections 2394–41 to 2394–70, inclusive, of the Statutes; and the penalties therein shall be applied to and be imposed for any violation of sections 1728a to 1728j, inclusive, of the Statutes. Until such time as the said commission shall so investigate, ascertain, determine and fix the classifications provided in this section, the employments and places of employment designated in the following schedule shall be deemed to be dangerous or prejudicial to the life, safety, health or welfare of minors under the ages specified, or of females, or dangerous or prejudicial to the life, health, safety or welfare of other employees or of frequenters, where such minor may be employed. The terms "place of employment," "employment," "employer," "employee," "frequenter," "deputy," "order," "local order," "general order," "special order," "welfare," "safe," and "safety," as used in this section, shall be construed as defined in section 2394–41 of the Statutes.

Schedule of employments or places of employment dangerous or prejudicial to the life, health, safety or welfare of minors, or children under the ages specified, or to frequenters, or to females:

(a) Minors under twenty-one years of age:

In cities of the first, second and third class, before six o'clock in the morning and after eight o'clock in the evening of any day, as messenger for a telegraph or messenger company in the distribution, transmission or delivery of messages or goods.

(b) Minors under eighteen years of age:

(1) Blast furnaces; in or about.

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(2) Boats and vessels engaged in the transportation of passengers or merchandise; pilot; fireman; engineer.
(3) Docks; in or about.
(4) Dusts; operating or using any emery, tripoli, rouge, carborundum, stone carborundum, any abrasive or emery polishing or buffing wheel, where articles of the baser materials, as [or] of iridium, are manufactured.
(5) Electric wires; on the outside, erection and repair of electric wires.
(6) Elevators; in, the running or management of any elevators, lifts or hoisting machines.
(7) Explosives; in or about establishments where nitroglycerin, dynamite, dualin, guncotton, gunpowder, or other high or dangerous explosives are manufactured, compounded or stored.
(8) Matches; in dipping, dyeing [drying] or packing.
(9) Mine or quarry; in or about.
(10) Oiling or cleaning; in oiling or cleaning dangerous or hazardous machinery in motion.
(11) Railroads; switch tending, gate tending, or track repairing; as brakeman, fireman, engineer, motorman, conductor, telegraph operator.
(12) Wharves; in or about.
(13) No female under eighteen years of age shall be employed as a messenger by any telegraph or telephone company, firm or corporation, or by any company, firm, corporation or individual engaged in similar business.

(c) Children under sixteen years of age:
(1) Bakeries; dough brakes or cracker machinery of any description.
(2) Belts; adjusting belts (in motion); sewing belts (in any capacity).
(3) Boilers; operating any steam boiler or steam-generating apparatus.
(4) Bowling alleys; as pin boys.
(5) Building trades; on scaffolding, or on ladder or in heavy work.
(6) Burnishing machines in any tannery or leather manufacturing.
(7) Corrugating rolls in roofing or washboard factories.
(8) Dusts; occupations causing dust in injurious quantities.
(9) Emery or polishing wheel for polishing metal.
(10) Immoral purposes; manufacture of goods for.
(11) Iron and steel, wire or iron-straightening machinery, punchers or shears.
(12) Laundry machinery.
(13) Liquors; in or about any store, brewery, distillery, bottling establishment, hotel barroom, saloon, saloon dining room or restaurant, any place in connection with a saloon or a similar place of any name, or in or about any dance hall, bowling alley, pool room, beer garden, or similar place of any name, in which strong, spirituous or malt liquors are made, bottled, sold or given away.
(14) Machinery; oiling or assisting in oiling, wiping or cleaning any machinery in motion. Operating or assisting in operating or taking material from any circular or band saw, or any crosscut saw or slasher, or other cutting or pressing machine from which material is taken from behind.
(15) Paints and poisons; manufacture of paints, colors or white lead. Manufacture of any composition in which dangerous or poisonous acids are used. Manufacture or preparation of compositions of dangerous or poisonous dyes. Manufacture or preparation of compositions with dangerous or poisonous gases. Manufacture or preparation of compositions of lye or in which the quantity thereof is injurious to health.
(16) Presses; cylinder or job, boring or drill.
(17) Rubber; washing, grinding or mixing mill of calendar [calender] rolls in rubber manufacturing.
(18) Stamping machines; in sheet-metal and tinware maufacturing. In washer and nut factory. In lace, paper and leather manufacturing.
(19) Theater or concert hall.
(20) Tobacco; in any tobacco warehouse, cigar or other factory where tobacco is manufactured or prepared.
(21) Woodworking; wood shaper, wood jointer, planer and sandpaper, wood-polishing or wood-turning machine.
(22) Wool, cotton, hair, upholstering; carding machine, or machine used in picking wool, cotton, hair, or any upholstering material.
(23) Any other employment dangerous to life or limb, injurious to the health, or depraving to the morals.

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(d) Females:

(1) Any female child in any capacity where such employment compels her to remain standing constantly.

(2) Any female in or about any mine or quarry. [St C 83 s 1728a.2]

Court decisions.—Under a former section which is superseded by the above, the following decisions were rendered: The fact that labor, in violation of the act, in a place where intoxicating liquors are sold, was contracted to be performed on a Sunday, would not prevent prosecution thereunder.—State *v.* Hall, 141 Wis. 20, 123 N. W. 261 (1909). The provisions of this section include an edging machine used in a sawmill.—O'Sullivan *v.* Stearns Lumber Co., 154 Wis. 467, 143 N. W. 160 (1913). A section hand under 18 while on his way to a place where he was to work repairing a track was at the time of the injury employed in "track repairing" within the provisions of this section.—Leora *v.* Minneapolis, St. Paul & Sault Ste. Marie Ry. Co., 146 N. W. 520 (1914). Where a child is injured while employed in violation of this section, the defense of contributory negligence is not available.—Pinosa *v.* Northern Chair Co., 152 Wis. 473, 140 N. W. 84 (1913). Machine, consisting of rollers through which candy was run to reduce it to a uniform thickness, was held a pressing machine, within the preceding section, relative to the employment of children under 16 on machinery.—Kowalski *v.* American Candy Co., 151 N. W. 805 (1915).

ANY GAINFUL OCCUPATION

MINIMUM AGE

Employment under 14 prohibited except as provided in section 1728a.4.—No child under the age of fourteen years shall be employed, required, suffered or permitted to work at any time in any factory, manufacturing establishment or workshop, store, hotel, restaurant or bakery, mercantile establishment, laundry, telegraph, telephone or public messenger service, delivery of merchandise or at any gainful occupation or employment, directly or indirectly, except as provided in [1728a.4]. [St C 83 s 1728a.3]

Employment under 14 prohibited; exceptions from 12 to 14 in mercantile establishments, etc., during vacation; permits required; no educational requirements during vacation.—No child under the age of fourteen years shall be employed, required, permitted or suffered to work at any gainful occupation or employment at any time except that during the vacation of the public or equivalent school in the town, district or city where any child between the ages of twelve and fourteen years resides, it may be employed in any store, office, mercantile establishment, warehouse, telegraph, telephone or public messenger service in the town, district or city where it resides and not elsewhere: *Provided*, That it shall have first obtained a permit in the same manner and under the same conditions set forth for employment during the regular session of the school, except that for such vacation permit no proof of educational qualification shall be necessary. [St C 83 s 1728a.4]

Court decision.—The prohibition is absolute and does not permit the work to be done under a permit from the commissioner of labor or other officer, and the employment in violation of this section is negligence per se.—Sharon *v.* Winnebago Furniture Co., 141 Wis. 185, 124 N. W. 299 (1910).

PUBLIC EXHIBITIONS

MINIMUM AGE AND EMPLOYMENT CERTIFICATES

Employment under 16 in circuses, theatrical exhibitions, concerts, etc., without permits prohibited; permits issued by industrial commission, judge, etc.; conditions; exceptions.—No child under sixteen years of age shall be employed, required, suffered or permitted to play on any musical instrument, or to sing or perform in a circus, theatrical or musical exhibition, concert or festival, or in any public place, unless there is first obtained from the [industrial commission], county judge, municipal judge or the judge of a juvenile court where the child resides, if such child is a resident of this State, and by a county judge, municipal judge, or judge of a juvenile court of this State if such child is not a resident of the State, a written permit authorizing the appearance of such child at such places, at times as the said [industrial commission], county judge, municipal judge or judge of a juvenile court may fix: *Provided*, That it appears to the satisfaction of such [industrial commission], county judge, municipal judge, or judge of a juvenile court, that the appearance of such child shall not be detrimental to its morals, health, safety, welfare or opportunities for education equivalent to that of the common schools: *Provided also*, That a child under fourteen years of age shall be accompanied by a parent or guardian, approved by the said [industrial commission], county judge, municipal judge or judge of a juvenile court. But the provisions of this section shall not prevent the education of children in music or their employment as musicians, or participants, in a church, chapel, school or school exhibition, or any home talent exhibition given by people of the local community. [St C 83 s 1728a–1]

NOTE.—[For prohibition under 14 in dangerous or immoral exhibitions, see section 4587a, chapter 186 of the Statutes.]

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ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES AND RECORDS

Contents of permits.—The permit required by section 1728a of the Statutes shall state the name, the date and place of birth of the child, and describe the color of hair and eyes, the height and weight, and any distinguishing facial marks of such child, and that the papers required in subsection 2 hereof have been duly examined, approved and filed. [St C 83 s 1728a–3.1]

Age and school records and promise of employment required.—The following evidence, records and papers shall be filed before such permit is issued:

(1) Evidence showing that such child is fourteen years of age in one of the following forms:

(a) A duly attested transcript of the birth certificate, filed as prescribed by law with the register [registrar] of vital statistics, or other officer charged with the duty of recording births.

(b) A certificate of a person in charge of a public school in the State or elsewhere, having a course of not less than eight years, or of a school in the State other than a public school, having a substantially equivalent course of study of not less than eight years' duration, in which school a record of the attendance of such child has been kept, showing that such child is a graduate of such school, and that according to the records kept in such school, such child is at least fourteen years of age; or

(c) A passport or a duly attested transcript of a certificate of baptism, showing the date and place of baptism of such child.

(d) If such proof does not exist or can not be secured as provided in subdivisions (a), (b) or (c), of subdivision (1) hereof, then such proof as may be satisfactory to the official issuing such permit may be filed in lieu thereof.

(2) A certificate of the superintendent of schools or the principal of the school last attended by the child, or in the absence of both of the aforementioned persons, a certificate of the clerk of the school board, showing that such child is more than fourteen years of age, and stating also the date of the birth of such child, and the number of years it has attended school. Such certificate shall contain the further statement that such child has attended the public school, or some other school having a substantially equivalent course, as required by law, within the twelve months next preceding the date of such certificate, or next preceding the fourteenth birthday of such child; that such child is able to read and write simple sentences in the English language, and is familiar with the fundamental operations in arithmetic up to and including fractions, and that it has received during such one-year period, instruction in spelling, reading, writing, English grammar and geography; or in lieu of such statement relative to its educational attainments, that such child has passed successfully the fifth grade in the public school, or in some school having a substantially equivalent course, or that it has attended school for at least seven years. It shall be the duty of such superintendent, principal or clerk to issue certificate upon receipt of any application in behalf of any child entitled thereto.

(3) A letter written on such regular letterhead or other business paper used by the person, stating the intention of such person, firm or corporation to employ such child, and signed by such person, firm or corporation, or by some one duly authorized by them. [St C 83 s 1728a–3.2].

REGULATED OCCUPATIONS

ENFORCEMENT

Powers of truant officers, police officers, etc., in enforcing sections 1728a to 1728j.—For the purposes of sections 1728a to 1728j, inclusive, * * * any * * * truant officer, any police officer or any private citizen may make complaint of the violation of any provisions of sections 1728a to 1728j, inclusive. [St C 83 s 1728a–4.1]

Duties of industrial commission.—When complaint is made by truant officer, police officer or any private citizen to the [industrial commission], the [said commission] shall investigate or cause to be investigated such complaint, and if pursuant to any such investigation, a violation of any of the provisons of sections 1728a to 1728j, inclusive, shall be found, the [industrial commission] shall prosecute or cause to be prosecuted any such violation. [St C 83 s 1728a–4.2]

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FACTORIES, MERCANTILE ESTABLISHMENTS, WORKSHOPS, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Statements of actual employment required; records to be kept by employers; permits to be returned to issuing office.—Every person, firm or corporation, agent or manager of any firm or corporation, employing minors in any factory or workshop, store, office, hotel, mercantile establishment, laundry, telegraph, telephone or public messenger service within this State, in addition to filing the certificate of intention to employ with the [industrial commission], shall file with the officer signing such permit, a statement of actual employment of such minor, the date of employment, and that the necessary permit has been duly received and filed, shall keep said permits on file in the same place where such minor is employed, and subject at all times to the inspection of the [industrial commission], and shall post a list of said employees with said information at or near the principal entrance to the factory, or other building where such children are employed: *It is further provided*, That upon the termination of employment of any minor, said employer shall return within twenty-four hours the permit for employment of such minor to the person and place, designated by the [industrial commission] with a statement of reasons for the termination of said employment. [St C 83 s 1728a–6.1]

Special inspection where children under 18 are employed.—Every person, firm or corporation, desiring to become the employer of children under the age of eighteen years, shall file with the [industrial commission] a statement of this fact, in order that a special inspection of his factory, workshop, bowling alley, store, hotel or mercantile establishment, restaurant, bakery, laundry, telegraph, telephone or public messenger service may be made or caused to be made by the [industrial commission]. [St C 83 s 1728a–6.2]

EDUCATIONAL REQUIREMENTS

COMPULSORY EVENING AND CONTINUATION SCHOOL ATTENDANCE

Illiterate minors over 14 not to be employed where school exists, without attendance certificates.—No person shall employ a minor over fourteen years of age in any city, village or town in which a public evening school or continuation school, for the industry in which the minor is to work, is maintained, unless he receives and places on file a written permit issued by the [industrial commission], or from the judge of a juvenile court where such child resides, authorizing the employment of the minor, as provided in section 1728b of the Statutes, and certifying either to his ability to read at sight and write legibly simple sentences in the English language, or that he is a regular attendant at the public evening school or continuation school. [St C 83 s 1728a–11]

Responsibility of parents, etc.—No parent, guardian or custodian shall permit a minor over fourteen years of age who has not the certificate referred to in section 1728a–11 to be employed. [St C 83 s 1728a–12]

Weekly attendance records required; to be filed with employment permits.—Any minor over fourteen years of age, required by section 1728a–11 to attend an evening school or continuation school, shall furnish to his employer each week during its session a record showing that he is a regular attendant at the evening school or continuation school. The employer shall file all records of attendance with the minor's permit to work, and no minor, subject to sections 1728a–11 to 1728a–17, inclusive, shall be employed unless the records of attendance or absence for valid cause during the previous week be on file. [St C 83 s 1728a–13]

Exception; temporary employment permits if health is endangered by attendance; physician's certificate.—Upon presentation by a minor of a certificate signed by a registered practicing physician, showing that his physical condition, or the distance necessary to be traveled, would render the required school attendance, in addition to his daily labor, prejudicial to his health, the [industrial commission], may issue a permit authorizing his employment for such period as [said commission] may determine. [St C 83 s 1728a–14]

Regular employment permits not to excuse from attendance.—No permit issued under section 1728a shall excuse any minor from attendance at evening school, or evening continuation school. [St C 83 s 1728a–15]

Penalty for employer.—Any person, firm or corporation, agent or manager of any corporation, who whether for himself or for such firm or corporation, or by himself or through agents, servants or foremen, shall violate or fail to comply with any of the provisions of sections 1728a–11 to 1728a–14, inclusive, of the Statutes, shall be deemed

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guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars for each offense. Any corporation which by its agents, officers or servants shall violate or fail to comply with any of the provisions of sections 1728a–11 to 1728a–15, inclusive, shall be liable to the same penalty which may be recovered against such corporation in action for debt or assumpsit, brought before any court of competent jurisdiction. [St C 83 s 1728a–16]

Penalty for parent, etc.—Any parent or guardian who suffers or permits a minor to be employed, or suffered or permitted to work in violation of sections 1728a–12 and 1728a–13 of the Statutes, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than twenty-five dollars. [St C 83 s 1728a–17]

FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS, MESSENGER SERVICE, ETC.

EMPLOYMENT CERTIFICATES AND RECORDS

Lists required under 16; contents.—Every person, firm or corporation, agent or manager of any firm or corporation employing minors in any factory or workshop, store, office, hotel, restaurant, bakery, mercantile establishment, laundry, telegraph, telephone or public messenger service within this State shall keep a register in the place where such minor is employed, and subject at all times to the inspection of [the industrial commission], or truant officer, in which register shall be reported the name, age, date of birth and place of residence, of every child employed, permitted or suffered to work therein, under the age of sixteen years. [St C 83 s 1728b.1]

Permits required under 16; issued by the industrial commission, judges of juvenile courts, etc.—No person, firm or corporation, agent or manager of any firm or corporation shall hire or employ, permit or suffer to work in any mercantile establishment, factory or workshop, store, office, hotel, restaurant, bakery, laundry, telegraph, telephone or public messenger service, any child under sixteen years of age, unless there is first provided and placed on file in such mercantile establishment, factory, workshop, store, office, hotel, restaurant, bakery, laundry, telegraph, telephone or public messenger service office, a permit granted by the [industrial commission], or county judge, municipal judge or judge of a juvenile court of the county where such child resides. [St C 83 s 1728b.2]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Eight hours a day, 48 a week, 6 days a week, and night work prohibited, under 16; 30 minutes for midday meal under 16; farm and domestic work excepted; other exceptions.—No child under the age of sixteen years shall be employed, required, permitted or suffered to work at any gainful occupation other than domestic service or farm labor for more than forty-eight hours in any one week, nor more than eight hours in any one day, or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening, nor more than six days in any one week: *Provided*, That employment not to exceed eight hours and thirty minutes in any one day may be permitted to children on condition that the children so employed shall be free from labor after twelve o'clock noon on Saturday: *Provided*, That no child so employed shall be permitted to work more than forty-eight hours in any one week, including at least four hours of attendance at continuation school, nor between six o'clock in the evening and seven o'clock in the morning. A dinner period of not less than thirty minutes shall be allowed during each day. During such dinner period the power shall be shut off from machinery operated by children, and no work shall be permitted: *Provided*, Nothing in sections 1728a to 1728], inclusive, shall be construed to interfere with the employment of children as provided in sections 1728a–1 and 1728u of the Statutes. [St C 83 s 1728c.1]

Hours to be posted.—Each employer shall post in a conspicuous place in each of the several departments in or for which minors are employed, a list on a printed form furnished by the [industrial commission], stating the names, ages and the hours required of each child during each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or other meals begin and end. [St C 83 s 1728c.2]

Reduction of hours required from 14 to 16 to allow attendance at continuation schools, etc.—Whenever any day continuation classes, industrial school or commercial school shall be established in any town, village or city in this State for minors between the

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ages of fourteen and sixteen, working under permit as now provided by law,[1] every such child, residing within any town, village or city in which any such school is established, shall attend such school in the daytime not less than five hours per week for eight months in each year, until such child becomes sixteen years of age, or four hours per week for ten months, as may be determined by the local board of industrial education, and every employer shall allow all minor employes over fourteen and under sixteen years of age a reduction in hours of work of not less than the number of hours the minor is by this section required to attend school. [St C 83 s 1728c–1.1 as amended by 1915 C 420]

Total number of hours at work and at school not to exceed legal maximum hours of labor; exceptions.—The total number of hours spent by such minors at work and in the beforementioned schools shall together not exceed the total number of hours of work for which minors over fourteen and under sixteen years of age may by law be employed, except when the minor shall attend school a greater number of hours than is required by law, in which case the total number of hours may be increased by the excess of the hours of school attendance over the minimum prescribed by law. [St C 83 s 1728c–1.2]

Reduction of hours to coincide with class times.—Employers shall allow the reduction in hours of work at the time when the classes which the minor is by law required to attend,[2] are held whenever the working time and the class time coincide. [St C 83 s 1728c–1.3]

Penalty for violation of section 1718c–1.—Any violation of this section [1728c–1] shall be punished as is provided in the case of a violation of section 1728a of the Statutes. [St C 83 s 1728c–1.4]

ALL OCCUPATIONS—EDUCATIONAL REQUIREMENTS

COMPULSORY CONTINUATION SCHOOL ATTENDANCE AND HOURS OF LABOR

Children from 16 to 17 where schools exist; reduction of hours to allow attendance.—Whenever an industrial, continuation or commercial school shall be established according to the provisions of section 553p–1 to 553p–9, inclusive, of the Statutes, in any town, village or city, any minor in employment between the ages of sixteen and seventeen, residing in such town, village or city, shall attend such school in the day time not less than five hours per week for six months in each year or four hours per week for eight months, as may be determined by the local board of industrial education. Every employer shall allow all such minor employees a reduction in hours of work of not less than the number of hours the minor is by this section [s 1728c–2] required to attend school. Whenever the working time and the class time coincide, such reduction in hours of work shall be allowed at the time when the classes which the minor is by law required to attend are held. [St C 83 s 1728c–2.1 as amended by 1915 C 420]

Penalty for violation of section 1728c–2.—Any violation of this section [s 1728c–2] shall be punished as is provided in the case of violation of the provisions of section 1728a of the Statutes. [St C 83 s 1728c–2.2 as added by 1915 C 420]

ALL REGULATED OCCUPATIONS

ENFORCEMENT

Duties and powers of industrial commission.—It shall be the duty of the industrial commission to enforce all the provisions of the statutes regulating or relative to child labor, and to prosecute violations of the same before any justice of the peace or other court of competent jurisdiction in this State. It shall be the duty of the said industrial commission and truant officers, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by sections 1728a to 1728j, inclusive. The industrial commission, for the purpose of the enforcement of sections 1728a to 1728j, inclusive, shall have the power of truant officers to enforce all legal requirements relating to school attendance. [St C 83 s 1728d.1]

Jurisdiction.—The justice of the peace in the various counties of the State of Wisconsin shall have criminal jurisdiction of actions brought for violations of all statutes regulating or relative to child labor, notwithstanding any statute depriving such justices of the peace in any county of such jurisdiction. Nothing contained herein, how-

[1] See page 7 for places where such schools have been established.
[2] This comma is apparently inserted by mistake.

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ever, shall deprive the municipal courts and other courts of record of concurrent jurisdiction, nor shall anything contained herein be construed to give justices of the peace in cities of the first class jurisdiction of such actions. [St C 83 s 1728d.2]

ANY GAINFUL OCCUPATION

EMPLOYMENT CERTIFICATES AND RECORDS

Physical fitness for the work.—The [industrial commission] or county judge, municipal judge or judge of a juvenile court, may refuse to grant permits in the case of children who may seem physically unable to perform the labor at which they may be employed. [St C 83 s 1728e.1]

Method of issuing; records of issuing office.—All permits provided for under sections 1728a to 1728j, inclusive, shall be issued upon blanks furnished by the [industrial commission] and shall be made out in duplicate. One of such duplicates shall be forthwith returned to the [industrial commission], together with a detailed statement of the character and substance of the evidence offered prior to the issue of such permit. Such statement so forwarded shall be upon blanks furnished by the [industrial commission], and shall contain such details as to such evidence, and shall fully reveal its character and substance as indicated in such blank. [St C 83 s 1728e.2]

Revocation of permits.—Whenever it shall appear to the [industrial commission] that any permit has been improperly or illegally issued, or that the physical or moral welfare of such child would be best served by the revocation of the permit [said commission] may forthwith, without notice, revoke the same, and shall by registered mail notify the person employing such child and the child holding such permit of such revocation. [St C 83 s 1728e.3]

Exception: agricultural pursuits.—Nothing contained in sections 1728a to 1728j, inclusive, shall be construed to forbid any child from being employed in agricultural pursuits, nor to require a permit to be obtained for such child. [St C 83 s 1728e.4]

REGULATED OCCUPATIONS

DEFINITIONS

Certain terms used in sections 1728a to 1728j.—The words "manufacturing establishment," the word "factory" or the word "workshop," as used in sections 1728a to 1728j, inclusive, shall each be construed to mean any place where goods or products are manufactured or repaired, dyed, cleaned or assorted, stored or packed, in whole or in part, for sale, for wages, or directly or indirectly, for gain or profit. [St C 83 s 1728g]

ALL REGULATED OCCUPATIONS

PENALTIES

Illegal employment or hindering inspector, etc.; employer.—Any person, firm or corporation, agent or manager of any firm or corporation who, whether for himself or for such firm or corporation, or by himself or through agents, servants or foremen, shall employ, require, suffer or permit any person to work in any employment prohibited under the provisions of section 1728a, or hinders or delays the [industrial commission], or truant officers, or any or either of them, in the performance of their duties, or refuses to admit or locks out any such officers from any place required to be inspected by said sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than two hundred dollars for each offense, or imprisoned in the county jail not longer than thirty days. [1728h.1 as amended by 1915 C 421]

Liability for penalties.—Any corporation which, by its agents, officers or servants violates or fails to comply with any of the provisions of the sections specified in subsection 1 shall be liable to the above penalties, which may be recovered against such corporations in action for debt or assumpsit brought before any justice of the peace or other court of competent jurisdiction. [St C 83 s 1728h.2]

Responsibility of owners of theaters, moving picture houses, etc.—Any person, being the owner or lessee of any opera house, theater or moving picture house, or any similar place of any name, or having in whole or in part, the management or control thereof, shall be responsible for any violation of sections 1728a to 1728j, inclusive, on the premises, of such opera house, theater or moving picture house or similar place of any name. [St C 83 s 1728h.3]

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Failure to return permits to issuing office.—Any person, firm or corporation, agent or manager of any corporation who, whether for himself or for such firm or corporation, or by himself or through agents, servants or foreman fails to return the employment permit of any child in violation of section 1728a–6, shall be liable in action to such child whose permit is not returned, for two dollars for each day during which such failure continues. [St C 83 s 1728h.4]

Failure to produce permits or presence of minor to be evidence of employment.—The failure of any person, firm or corporation, agent or manager of any firm or corporation, to produce for inspection to the [industrial commission], [or] truant officers, the employment permit hereinbefore described, shall be prima facie evidence of illegal employment of minor before any justice of the peace or other court of competent jurisdiction. The presence of any minor in any factory, workshop, place of employment or in or about any mine, or the presence of any minor at any time other than those on the posted hours of labor, as hereinbefore provided, or in any establishment employed at any work listed as dangerous or forbidden employments, shall be prima facie evidence of the employment of such child. [St C 83 s 1728h.5]

Permitting employment; parent, etc.—Any parent or guardian, who suffers or permits a child to be employed, at any gainful occupation, directly or indirectly, or suffered or permitted [sic] to work in violation of sections 1728a to 1728j, inclusive, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than twenty-five dollars, or by imprisonment [be imprisoned] in the county jail for not longer than thirty days. [St C 83 s 1728i]

ENFORCEMENT

Proof of age in court proceedings.—When in any proceeding in any court under sections 1728a to 1728j, inclusive, there is any doubt as to the age of any child, a verified baptismal certificate or a duly attested birth certificate shall be produced and filed with the court. In case such certificates can not be secured, upon proof of such fact, the record of age stated in the first school enrollment of such child shall be admissible as evidence thereof. [St C 83 s 1728j]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted; penalty.—Every person or corporation employing females in any manufacturing, mechanical or mercantile establishment in the State of Wisconsin shall provide suitable seats for the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. Any person or corporation who shall violate the provisions of this section shall, upon conviction thereof, be considered guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars, nor more than thirty dollars for each and every offense. [St C 83 s 1728l]

PUBLIC EXHIBITIONS

MINIMUM AGE

License to be refused theatrical exhibitions employing children under 15 as acrobats, etc.—No license shall be granted for a theatrical exhibition or public show in which children under fifteen years of age are employed as acrobats, contortionists or in any feats of gymnastics or equestrianism, when in the opinion of the board of officers authorized to grant licenses such children are employed in such manner as to corrupt their morals or impair their physical health. [St C 83 s 1728o]

Penalty.—Any person who shall violate any of the provisions of sections * * * and 1728o shall, upon conviction, be fined in a sum not exceeding one hundred dollars. [St C 83 s 1728o–1]

STREET TRADES IN CITIES

MINIMUM AGE

Definition of "street trade"; employment of boys under 12 and girls under 18 in selling newspapers, magazines, etc., prohibited.—The term "street trade," as used in sections

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1728p to 1728za, inclusive, shall mean any business or occupation in which any street, alley, court, square or other public place is used for the sale, display or offering for sale of any articles, goods or merchandise. No boy under the age of twelve years, and no girl under the age of eighteen years, shall in any city of the first class distribute, sell or expose or offer for sale newspapers, magazines or periodicals in any street or public place. [St C 83 s 1728p]

Employment of boys under 14 prohibited.—No boy under fourteen years of age, shall, in any city of the first class, work at any time, or be employed or permitted to work at any time, as a bootblack or in any other street trade or shall sell or offer any goods or merchandise for sale or distribute handbills or circulars or any other articles, except newspapers, magazines or periodicals as hereinafter provided. [St C 83 s 1728q]

Employment of girls under 18 prohibited.—No girl under eighteen years of age shall, in any city of the first class, work at any time, or be employed or permitted to work at any time, as a bootblack or at any other street trades or in the sale or distribution of handbills or circulars or any other articles upon the street or from house to house. [St C 83 s 1728r]

PERMITS AND BADGES

Permits and badges required for boys under 16; issued by school authorities; school record and mental and physical fitness for the work required; method of issuing.—No boy under sixteen years of age shall, in any city of the first class, distribute, sell, or expose or offer for sale any newspapers, magazines or periodicals in any street or public place or work as a bootblack, or in any other street or public trade, or sell or offer for sale or distribute any handbills or other articles, unless he complies with all the legal requirements concerning school attendance, and unless a permit and badge, as hereinafter provided, shall have been issued to him by the board of education. No such permit and badge shall be issued until the officer issuing the same shall have received an application in writing therefor, signed by the parent or guardian or other person having the custody of the child, desiring such permit and badge, and until such officer shall have received, examined and placed on file the written statement of the principal or chief executive officer of the public, private or parochial school, which the said child is attending, stating that such child is an attendant at such school with the grade such child shall have attained, and provided that no such permit and badge shall be issued, unless such officer issuing it is satisfied that such child is mentally and physically able to do such work besides his regular school work as required by law. [St C 83 s 1728s]

Method of issuing permits; proof of age required; revocation; lists to be kept by schools.—Before any such permit is issued, the board of education shall demand and be furnished with proof of such child's age by the production of a verified baptismal certificate or a duly attested birth certificate, or, in case such certificate can not be secured, by the record of age stated in the first school enrollment of such child. Whenever it appears that a permit was obtained by wrong or false statements as to any child's age, the officer who granted such permit shall forthwith revoke the same. After having received, examined and placed on file such papers, the officer shall issue to the child a permit and badge. The principal or chief executive officer of schools, in which children under sixteen years of age are pupils, shall keep a complete list of all children in their school to whom a permit and badge has been issued, as provided in sections 1728p to 1728za, inclusive. [St C 83 s 1728t]

Method of issuing and contents of permits and badges; cards of identification; temporary certificates permitted in case of illness or absence; conditions, contents, etc., of temporary certificates.—Such permit shall state the place and date of birth of the child, the name and address of its parents, guardian, custodian or next friend, as the case may be, and describe the color of hair and eyes, the height and weight and any distinguishing facial marks of such child, and shall further state that the papers required by the preceding section have been duly examined and filed; and that the child named in such permit has appeared before the officer issuing the permit. The badge furnished by the officer issuing the permit shall bear on its face a number corresponding to the number of the permit, and the name of the child. Every such permit shall be signed in the presence of the officer issuing the same by the child in whose name it is issued: *Provided*, That in case of carrier boys working on salary for newspaper publishers delivering papers, a card of identification shall be issued to such carriers by the board of education which they shall carry on their person, and exhibit to any officer authorized under sections 1728p to 1728za, inclusive, who may accost them for a disclosure of their right to serve as such carriers: *And provided further*, That in case of the illness or absence of any boy who shall belong to the regular delivery or distributing force

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of any newspaper at the time when such delivery or distribution of newspapers is to be made, if there shall be no other boy who has a permit and badge, as provided herein, ready to make the delivery and distribution, such delivery and distribution may be made for a period which shall not exceed seven days, by any other boy over the age of twelve years, who shall have complied with all the other requirements of sections 1728p to 1728za, inclusive, except the requirement of a permit and badge; in such cases, a written certificate, stating the facts, on blank form furnished by the board of education, signed by the circulation or business manager of such newspaper or its authorized representative shall be issued to such boy for a period not to exceed seven days. Copies of all such certificates shall be furnished the board of education within twenty-four hours after issue. [St C 83 s 1728u]

Badge to be worn conspicuously; nontransferable; fee.—The badge provided for herein shall be such as the board of education shall designate and shall be worn conspicuously in sight at all times in such position as may be designated by the said board of education by such child while so working. No child to whom such permit and badge or identification card are issued shall transfer the same to any other person. No badge shall be issued except on deposit of a fee of twenty-five cents. Such fee shall be refunded upon return of the badge. [St C 83 s 1728v]

HOURS OF LABOR

Night work and employment during school hours prohibited under 16; exception to prohibition of night work.—No boy under sixteen years of age shall, in any city of the first class, sell, expose or offer for sale any newspapers, magazines or perodicals after the hour of seven-thirty o'clock in the evening or before five o'clock in the morning; and no child under sixteen years of age shall distribute, sell, expose or offer for sale any newspapers, magazines or periodicals or shall work as a bootblack or in any street or public trades or distribute hand bills or shall be employed or permitted to work in the distribution or sale or exposing or offering for sale of any newspapers, magazines or periodicals or as a bootblack or in other street or public trades or in the distribution of hand bills during the hours when the public schools of the city where such child shall reside are in session: *Provided*, That any boy between the ages of fourteen and sixteen years, who is complying and shall continue to comply with all the legal requirements concerning school attendance, and who is mentally and physically able to do such delivery besides his regular school work, shall be authorized to deliver newspapers between the hours of four and six in the morning. [St C 83 s 1728w]

ENFORCEMENT

Duties and powers of board of education.—The board of education or any person acting under its direction shall enforce the provisions of sections 1728p to 1728za, inclusive, and said board is hereby vested with all powers requisite therefor. * * * [St C 83 s 1728x]

PENALTIES

Revocation of permit and badge for violation; refusal to surrender permit, etc.; children.—The permit of any child, who in any city of the first class distributes, sells or offers for sale any newspapers, magazines or periodicals in any street or public place, or works as a bootblack, or in any other street trade, or sells or offers for sale or distributes any handbills or other articles in violation of the provisions of sections 1728p to 1728za, inclusive, or who becomes delinquent or fails to comply with all the legal requirements concerning school attendance, shall forthwith be revoked for a period of six months and his badge taken from said child. The refusal of any child to surrender such permit, and the distribution, sale or offering for sale of newspapers, magazines or periodicals or any goods or merchandise, or the working by such child as a bootblack, or in any other street or public trade, or in distributing handbills or other articles, after notice, by any officer authorized to grant permits under this law of the revocation of such permit and a demand for the return of the badge, shall be deemed a violation of sections 1728p to 1728za, inclusive. The permit of said child may also be revoked by the officer who issued such permit, and the badge taken from such child, upon the complaint of any police officer or other attendance officer or probation officer of a juvenile court, and such child shall surrender his permit and badge upon the demand of any police officer, truancy or other attendance officer or probation officer of a juvenile court or other officer charged with the duty of enforcing sections 1728p to 1728za, inclusive. In case of a second violation of sections 1728p to 1728za, inclusive, by any child, he shall be brought before

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the juvenile court, if there shall be any juvenile court in the city where such child resides or, if not, before any court or magistrate having jurisdiction of offenses committed by minors and be dealt with according to law. [St C 83 s 1728y]

Parent, employer, etc.—Any parent or other person who employs a minor under the age of sixteen years in peddling without a license, or who, having the care or custody of such minor, suffers or permits the child to engage in such employment, or to violate sections 1728p to 1728za, inclusive, shall be punished by a fine not to exceed fifty dollars nor less than ten dollars, or by commitment to the county jail for not more than thirty days or less than ten days. [St C 83 s 1728z]

PERMITS AND EDUCATIONAL REQUIREMENTS

School certificates required from 12 to 16; remaining around newspaper offices, etc., during school hours prohibited; penalty for allowing newsboys to loiter around offices, etc.—No badge shall be issued for a boy selling papers between the ages of twelve and sixteen years by the [board of education], except upon certificate of the principal of either public, parochial or other private school attended by said boy, stating and setting forth that said boy is a regular attendant upon said school. No boy under the age of sixteen years shall be permitted by any newspaper publisher or printer or persons having for sale newspapers or periodicals of any character, to loiter or remain around any salesroom, assembly room, circulation room or office for the sale of newspapers, between the hours of nine in the forenoon and three in the afternoon, on days when school is in session. Any newspaper publisher, printer, circulation agent or seller of newspapers shall [sic] upon conviction for permitting newsboys to loiter or hang around any assembly room, circulation room, salesroom or office where papers are distributed or sold, shall be punished by a fine not to exceed one hundred dollars nor less than twenty-five dollars, or by commitment to the county jail for not more than sixty days or less than ten days. [St C 83 s 1728za]

ALL OCCUPATIONS

MINIMUM WAGE

Definition of terms.—The following terms as used in sections 1729s–1 to 1729s–12, inclusive, shall be construed as follows:

(1) The term "employer" shall mean and include every person, firm or corporation, agent, manager, representative, contractor, subcontractor or principal, or other person having control or direction of any person employed at any labor or responsible directly or indirectly for the wages of another.

(2) The term "employee" shall mean and include every person who is in receipt of or is entitled to any compensation for labor performed for any employer.

(3) The term "wage" and the term "wages" shall each mean any compensation for labor measured by time, piece or otherwise.

(4) The term "welfare" shall mean and include reasonable comfort, reasonable physical well-being, decency, and moral well-being.

(5) The term "living wage" shall mean compensation for labor paid, whether by time, piecework or otherwise, sufficient to enable the employee receiving it to maintain himself or herself under conditions consistent with his or her welfare. [St C 83 s 1729s–1]

Females and minors to be paid a living wage.—Every wage paid or agreed to be paid by any employer to any female or minor employee, except as otherwise provided in section 1729s–7, shall be not less than a living wage. [St C 83 s 1729s–2]

Violation of act.—Any employer paying, offering to pay, or agreeing to pay to any female or minor employee a wage lower or less in value than a living wage shall be deemed guilty of a violation of sections 1729s–1 to 1729s–12, inclusive, of the Statutes. [St C 83 s 1729s–3]

Industrial commission to investigate, and classify and to issue orders fixing the living wage; method of procedure; penalties.—It shall be the duty of the industrial commission and it shall have power, jurisdiction and authority to investigate, ascertain, determine and fix such reasonable classifications, and to issue general or special orders, determining the living wage, and to carry out the purposes of sections 1729s–1 to 1729s–12, inclusive, of the Statutes. Such investigations, classifications and orders, and any action, proceeding, or suit to set aside, vacate or amend any such order of said commission, or to enjoin the enforcement thereof, shall be made pursuant to the proceeding in sections 2394–41 to 2394–70, inclusive, of the Statutes, which are hereby made a part hereof, so far as not inconsistent with the provisions of sections 1729s–1,

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1729s–2, 1729s–3, 1729s–4, 1729s–5, 1729s–6, 1729s–7, 1729s–8, 1729s–9, 1729s–10, 1729s–11, and 1729s–12 of the Statutes; and every order of the said commission shall have the same force and effect as the orders issued pursuant to said sections 2394–41 to 2394–70, inclusive, of the Statutes, and the penalties therein shall apply to and be imposed for any violation of sections 1729s–1, 1729s–2, 1729s–3, 1729s–4, 1729s–5, 1729s–6, 1729s–7, 1729s–8, 1729s–9, 1729s–10, 1729s–11, and 1729s–12 of the Statutes. [St C 83 s 1729s–4]

Commission to investigate inadequate wages paid females and minors.—After July 1, 1913, the industrial commission may, upon its own initiative, and after July 1, 1914, the industrial commission shall, within twenty days after the filing of a verified complaint of any person setting forth that the wages paid to any female or minor employee in any occupation are not sufficient to enable such employee to maintain himself or herself under conditions consistent with his or her welfare, investigate and determine whether there is reasonable cause to believe that the wage paid to any female or minor employee is not a living wage. [St C 83 s 1729s–5]

Method of establishing advisory wage board; living wage to be determined upon by classes.—If, upon investigation, the commission finds that there is reasonable cause to believe that the wages paid to any female or minor employee are not a living wage, it shall appoint an advisory wage board, selected so as fairly to represent employers, employees and the public, to assist in its investigations and determinations. The living wage so determined upon shall be the living wage for all female or minor employees, within the same class as established by the classification of the commission. [St C 83 s 1729s–6]

Special individual living wage may be granted female or minor unable to earn regular wage.—The industrial commission shall make rules and regulations whereby any female or minor unable to earn the living wage theretofore determined upon, shall be granted a license to work for a wage which shall be commensurate with his or her ability. Each license so granted shall establish a wage for the licensee, and no licensee shall be employed at a wage less than the rate so established. [St C 83 s 1729s–7]

Indenture of minors in trade industries.—All minors working in an occupation for which a living wage has been established for minors, and who shall have no trade, shall, if employed in an occupation which is a trade industry, be indentured under the provisions of * * * [s 2377] of the Statutes. [St C 83s 1729s–8.1]

Definition.—A "trade" or a "trade industry" within the meaning of this act [s 1729s–1 to 1729s–12, inclusive] shall be a trade or an industry involving physical labor and characterized by mechanical skill and training such as render a period of instruction reasonably necessary. The industrial commission shall investigate, determine and declare what occupations and industries are included within the phrase a "trade" or a "trade industry." [St C 83 s 1729s–8.2]

Attendance at continuation schools of minors not in trade industries.—All minors working in an occupation for which a living wage has been established for minors but which is not a trade industry, who have no trade, shall be subject to the same provisions as minors between the ages of fourteen and sixteen as provided in section 1728c–1 of the Statutes. [St C 83 s 1729s–8.3]

Exceptions.—The industrial commission may make exceptions to the operation of subsections 1 and 2 of this section [s 1729s–8] where conditions make their application unreasonable. [St C 83 s 1729s–8.4]

Information to be furnished and records to be kept by employers.—Every employer employing three or more females or minors shall register with the industrial commission, on blanks to be supplied by the commission. In filling out the blank he shall state separately the number of females and the number of minors employed by him, their age, sex, wages, and the nature of the work at which they are employed, and shall give such other information relative to the work performed and the wages received as the industrial commission requires. Each employer shall also keep a record of the names and addresses of all women and minors employed by him, the hours of employment and wages of each, and such other records as the industrial commission requires. [St C 83 s 1729s–9]

Testimony of employee not to cause discharge or discrimination; penalty.—Any employer who discharges or threatens to discharge, or in any way discriminates, or threatens to discriminate against any employee because the employee has testified or is about to testify, or because the employer believes that the employee may testify, in any investigation or proceeding relative to the enforcement of this act [s 1729s–1 to 1729s–12, inclusive], is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of twenty-five dollars for each offense. [St C 83 s 1729s–10]

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Each day of violation a separate offense.—Each day during which any employer shall employ a person for whom a living wage has been fixed at a wage less than the living wage fixed shall constitute a separate and distinct violation of sections 1729s–1 to 1729s–12, inclusive, of the Statutes. [St C 83s 1729s–11]

Complaints to be investigated.—Any person may register with the industrial commission a complaint that the wages paid to an employee for whom a living wage has been established, are less than that rate, and the industrial commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage. [St C 83 s 1729s–12]

RAILROADS

MINIMUM AGE

Employment of telegraph operators under 18 prohibited; exception.—It shall be unlawful for any common carrier by railroad, carrying freight or passengers between points within this State, to employ any telegraph operator, except an assistant under an experienced operator, who shall not have attained the age of eighteen years * * *. [St C 87 s 1809j.1]

Penalty.—Any common carrier by railroad or any of its officers or agents who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars for each offense. [St C 87 s 1809j.2]

COMMON CARRIERS[1]

HOURS OF LABOR

Period of rest after 16 hours' work.—It shall be unlawful for any common carrier, its officers or agents, to require or permit: (1) Any employee to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty. [St C 87 s 1809l]

Exceptions.—The provisions of sections 1809l to 1809o, inclusive, shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officers or agents in charge of such employee at the time said employee left the terminal and which could not have been foreseen nor to the crews of wrecking or relief trains. [St C 87 s 1809m]

Enforcement: duties and powers of railroad commission.—The railroad commission shall fully investigate all cases of violation of sections 1809l to 1809o, inclusive, and shall lodge with the proper district attorneys information of such violations as may come to its knowledge. The commission shall have the power to employ such inspectors or other persons as may be necessary to enforce the provisions of sections 1809l to 1809o, inclusive. To enforce the provisions of sections 1809l to 1809o, inclusive, the railroad commission and its agents or employees shall have the power to administer oaths, interrogate witnesses, take testimony, and require the production of books and papers. [St C 87 s 1809n]

Penalty; common carrier, its officers or agents.—Any common carrier or any of its officers or agents violating any of the provisions of section 1809l is declared to be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars. [St C 87 s 1809o]

RAILROADS[1]

HOURS OF LABOR

Eight hours a day for telegraph and telephone operators; exceptions.—It shall be unlawful for any corporation or a receiver operating a line of railroad, in whole or in part, in the State of Wisconsin, or any officer, agent or representative of such corporation or receiver, to require or permit any operator to remain on duty for more than one period

[1] See court decisions on page 7 (New York).

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of eight consecutive hours, and when said operator shall have been on duty for said eight hours he shall be relieved and not required or permitted again to go on duty until he has had at least sixteen consecutive hours off duty in any twenty-four hours: *Provided*, This provision shall not apply in case of casualty upon such railroad; in which case said operator may be required or permitted to be on duty not more than one period of twelve consecutive hours in any twenty-four hours, or not to exceed three days of said twelve successive hours each at one time. [St C 87 s 1816m.1]

Definitions.—The term "operator" shall include train dispatchers, and shall be defined and construed to mean an employee who, by the use of the telegraph or telephone dispatches, or reports, transmits, receives or delivers orders pertaining to or affecting the movement of cars, engines, or trains, or who handles such cars, engines, or trains by or under what is known and termed the block system; the term "block system" shall be defined and construed to mean reporting cars, engines, or trains to another office or offices and to the train dispatcher registering the same and operating one or more order or signal devices, and manipulating signal devices affecting the movement of cars, engines, or trains from stations or towers in railroad yards or on main tracks. [St C 87 s 1816m.2]

Enforcement: duties and powers of railroad commission.—Whenever the railroad commission shall learn of any violation of this section by any company or by an officer or agent of any such company, it shall be the duty of the railroad commission to investigate such violation at once and it shall have power to require such company to immediately provide such additional employees as are necessary to comply with the provisions of this section. [St C 87 s 1816m.3]

Penalty.—The failure to comply with any of the provisions of this section shall subject the corporation or receiver or any officer, agent or representative of such corporation or receiver to a penalty of not less than one thousand dollars nor more than five thousand dollars for each offense * * *. [St C 87 s 1816m.4]

ALL OCCUPATIONS

WAGES

Minor's wages his personal property in case of nonsupport by parent.—During any time when, by reason of abandonment, drunkenness or profligacy, a parent of a minor shall neglect or refuse to provide for his support, or for his support and education, the earnings of such minor shall be his sole property as against such parent or any creditor of such parent. [St C 87 s 2344a]

ALL OCCUPATIONS

APPRENTICESHIP

Definition; apprentice.—The term "apprentice" shall mean any minor, 16 years of age or over, who shall enter into any contract of service, express or implied, whereby he is to receive from or through his employer, in consideration for his services in whole or in part, instruction in any trade, craft or business. [St C 110 s 2377.1 as reenacted by 1915 C 133]

Definition; indenture; record of indenture.—Every contract or agreement entered into by an apprentice with his employer shall be known as an indenture; such indenture shall be in writing and shall be executed in triplicate, one copy of which shall be delivered to the apprentice, one to be retained by the employer and one to be filed with the Industrial Commission of Wisconsin at Madison. [St C 110 s 2377.2 as reenacted by 1915 C 133]

Period of indenture.—Any minor, 16 years of age or over, may, by the execution of an indenture, bind himself as hereinafter provided for a term of service not less than one year. [St C 110 s 2377.3 as reenacted by 1915 C 133]

Signatures to indenture.—Every indenture shall be signed:

(1) By the minor.

(2) By the father; and if the father be dead or legally incapable of giving consent or has abandoned his family, then

(3) By the mother; and if both the father and mother be dead or legally incapable of giving consent, then

(4) By the guardian of the minor, if any.

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[1] See court decisions on page 7 (New York).

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(5) If there be no parent or guardian with authority to sign, then by two justices of the peace of the county of the residence of the minor, or by a member of the Industrial Commission of Wisconsin or a deputy thereof.

(6) By the employer. [St C 110 s 2377.4 as reenacted by 1915 C 133]

Contents of indenture.—Every indenture shall contain:

(1) The names of the parties.

(2) The date of the birth of the minor.

(3) A statement of the trade, craft or business which the minor is to be taught, and the time at which the apprenticeship shall begin and end.

(4) An agreement stating the number of hours to be spent in work, and the number of hours to be spent in instruction. Until the minor reaches the age of eighteen years, his period of instruction shall be not less than five per week or the equivalent and his total number of hours of instruction and service shall not exceed fifty-five per week.

(5) An agreement as to the processes, methods or plans to be taught, and the approximate time to be spent in each process, method or plan.

(6) A statement of the compensation to be paid the apprentice.

(7) An agreement that a certificate shall be given at the conclusion of his indenture, stating the terms of indenture. [St C 110 s 2377.5 as reenacted by 1915 C 133]

Compensation; school attendance and penalty.—The employer shall pay for the time the apprentice is receiving instruction, at the same rate per hour as for services. Attendance at school shall be certified by the teacher in charge, and failure to attend school shall subject the apprentice to a penalty of loss of compensation for three hours for every hour such apprentice shall be absent without good cause. [St C 110 s 2377.6 as reenacted by 1915 C 133]

Overtime permitted over 18; compensation.—An apprentice over eighteen years of age may be allowed to work overtime not to exceed thirty hours in any one month. Overtime shall be considered all time over ten hours in any one day, and in case the hours of labor are limited in the particular craft, industry or business, and as to the particular employer, to less than ten hours, overtime shall be figured as all time in any one day in excess of such limitation. For overtime the apprentice shall receive one and one-half times the rate per hour provided in his contract for regular time. [St C 110 s 2377.7 as reenacted by 1915 C 133]

Penalty for violation of indenture.—If either party to an indenture shall fail to perform any of the stipulations thereof, he shall forfeit not less than one dollar nor more than one hundred dollars, such forfeiture to be collected on complaint of the Industrial Commission of Wisconsin, and paid into the State treasury. Any indenture may be annulled by the Industrial Commission of Wisconsin upon application of either party and good cause shown. [St C 110 s 2377.8 as reenacted by 1915 C 133]

Industrial commission to investigate, classify, and issue orders fixing terms of indenture; method of procedure; penalties.—It shall be the duty of the Industrial Commission of Wisconsin, and it shall have power, jurisdiction and authority, to investigate, ascertain, determine and fix such reasonable classifications and to issue rules and regulations, and general or special orders as shall be necessary to carry out the intent and purposes of section 2377 of the Statutes. Such investigations, classifications and orders, and any action, proceeding, or suit to set aside, vacate, or amend any such order of said commission, or to enjoin the enforcement thereof, shall be made pursuant to the proceeding in sections 2394–41 to 2394–70, inclusive, of the Statutes, which are hereby made a part hereof, so far as not inconsistent with the provisions of section 2377 of the Statutes: and every order of the said Industrial Commission of Wisconsin shall have the same force and effect as the orders issued pursuant to said sections 2394–41 to 2394–70, inclusive, of the Statutes, and the penalties therein shall apply to and be imposed for any violations of section 2377 of the Statutes, excepting as to the penalties provided in subsection 8 of section 2377. [St C 110 s 2377.9 as reenacted by 1915 C 133]

School authorities to cooperate with commission, etc., in furnishing instruction.—It shall be the duty of all school officers and public school teachers to cooperate with the Industrial Commission of Wisconsin and employers of apprentices to furnish, in a public school or any school supported in whole or in part by public moneys, such instruction as may be required to be given apprentices. [St C 110 s 2377.10 as reenacted by 1915 C 133]

Invalidation of contracts.—The provisions of section 2377 shall not be construed as invalidating any contract of apprenticeship entered into before July 1, 1915. [St C 110 s 2377.11 as reenacted by 1915 C 133]

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ALL REGULATED OCCUPATIONS

ENFORCEMENT

Definitions.—The following terms as used in sections 2394–41 to 2394–71 of the Statutes, shall be construed as follows:

(1) The phrase "place of employment" shall mean and include every place, whether indoors or out or underground and the premises appurtenant thereto where either temporary [temporarily] or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is directly or indirectly, employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed in private domestic service or agricultural pursuits which do not involve the use of mechanical power.

(2) The term "employment" shall mean and include any trade, occupation or process of manufacture, or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged, except in such private domestic service or agricultural pursuits as do not involve the use of mechanical power.

(3) The term "employer" shall mean and include every person, firm, corporation, agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

(4) The term "employee" shall mean and include every person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go or work or be at any time in any place of employment.

(5) The term "frequenter" shall mean and include every person, other than an employee, who may go in or be in a place of employment under circumstances which render him other than a trespasser.

(6) The term "deputy" shall mean and include any person employed by the industrial commission designated as such deputy by the commission, who shall possess special, technical, scientific, managerial or personal abilities or qualities in matters within the jurisdiction of the industrial commission, and who may be engaged in the performance of duties under the direction of the commission, calling for the exercise of such abilities or qualities.

(7) The term "order" shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission, or any other determination arrived at or decision made by such commission.

(8) The term "general order" shall mean and include such order as applies generally throughout the State to all persons, employments or places of employment, or all persons, employments, or places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(9) The term "local order" shall mean and include any ordinance, order, rule or determination of any common council, board of aldermen, board of trustees, or the village board, of any village or city, or the board of health of any municipality, or an order or direction of any official of such municipality, upon any matter over which the industrial commission has jurisdiction.

(10) The term "welfare" shall mean and include comfort, decency and moral well-being.

(11) The term "safe" or "safety" as applied to an employment or a place of employment or a public building, shall mean such freedom from danger to the life, health, safety or welfare of employees or frequenters, or the public, or tenants, and such reasonable means of notification, egress and escape in case of fire, as the nature of the employment, place of employment, or public building, will reasonably permit.

(12) The term "public building" as used in sections 2394–41 to 2394–71 shall mean and include any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public, or by three or more tenants.

(13) The term "owner" shall mean and include every person, firm, corporation, State, county, town, city, village, manager, representative, officer, or other person having ownership, control or custody of any place of employment or public building, or of the construction, repair or maintenance of any public building, or who prepares plans for the construction of any place of employment or public building. Said sections 2394–41 to 2394–71, inclusive, shall apply, so far as consistent, to all architects. [St C 110a s 2394–41]

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Employers to furnish information.—Every employer and every owner shall furnish to the commission all the information required by it to carry into effect the provisions of sections 2394–41 to 2394–71, inclusive, and shall make specific answers to all questions submitted by the commission relative thereto. [St C 110a s 2394–50.1]

Duties and powers of industrial commission.—Any commissioner or deputy of the commission may enter any place of employment or public building, for the purpose of collecting facts and statistics, examining the provisions made for the health, safety and welfare of the employees, frequenters, the public or tenants therein and bringing to the attention of every employer or owner any law, or any order of the commission, and any failure on the part of such employer or owner to comply therewith. No employer or owner shall refuse to admit any commissioner or deputy of the commission to his place of employment or public building. [St C 110a s 2394–50.3]

Duties and powers of the industrial commission.—It shall also be the duty of the industrial commission, and it shall have power, jurisdiction and authority:

* * * * * * *

(2) To administer and enforce, so far as not otherwise provided for in the Statutes, the laws relating to child labor, laundries, stores, employment of females, licensed occupations, school attendance, * * * manufacture of cigars, * * * and all other laws protecting the life, health, safety and welfare of employees in employments and places of employment.

* * * * * * *

(9) To establish and conduct free employment agencies, to license and supervise the work of private employment offices, to do all in its power to bring together employers seeking employees and working people seeking employment * * *. [St C 110a s 2394–52]

Duties and powers relating to labor laws transferred to the industrial commission.—All duties, liabilities, authority, powers and privileges heretofore or hereafter conferred and imposed by law upon the commissioner of labor and industrial statistics, deputy commissioner of labor and industrial statistics, factory inspector, woman factory inspector, assistant factory inspectors and bakery inspector, are hereby imposed and conferred upon the industrial commission and its deputies. [St C 110a s 2394–54.1]

Duties and powers of factory inspectors transferred to the industrial commission.—All laws relating or referring to the commissioner of labor and industrial statistics, and the deputy commissioner of labor and industrial statistics, except those laws relating or referring to their appointment and qualification and to their membership or service on the industrial accident board and all laws relating or referring to the factory inspector, the woman factory inspector, assistant factory inspectors and the bakery inspector, shall apply to and be deemed to relate and refer to the industrial commission, so far as the said laws are applicable. [St C 110a s 2394–54.2]

General penalty; duties of State, county, and city officers.—If any employer, employee, owner, or other person shall violate any provisions of sections 2394–41 to 2394–55, inclusive, of the Statutes, or shall do any act herein prohibited in sections 2394–41 to 2394–71, inclusive, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or shall fail, neglect or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with the provisions of sections 2394–41 to 2394–71, inclusive, for each such violation, failure or refusal, such employer, employee, owner or other person shall forfeit and pay into the State treasury a sum not less than ten dollars nor more than one hundred dollars for each such offense. It shall be the duty of all officers of the State, the counties and municipalities, upon request of the industrial commission, to enforce in their respective departments, all lawful orders of the industrial commission, in so far as the same may be applicable and consistent with the general duties of such officers. [St C 110a s 2394–70]

NOTE.—[There is no section 2394–71 of the Statutes as referred to in the sections quoted above.]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment agencies forbidden to send girls to immoral places, etc.—No such licensed person [licensed to operate an employment bureau for women] shall knowingly send or cause to be sent any female help, servant, inmate, performer, or any other person to enter any questionable place of bad repute, house of ill fame or assignation house,

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or to any place of amusement in which immoral practices are permitted, or place resorted to for the purpose of prostitution or any gambling house, the character of which such places the licensing [sic] person knows either directly or by reputation or which he might obtain by reasonable effort. [St C 110a s 2394–92m.2 as added by 1915 C 115]

Agencies to keep records of employed females.—Every such licensed person shall keep a permanent record and index with names and postoffice addresses of all persons placed in service by him, with references to the facts contained in the application, which record shall be open to the inspection of the officers of the law and the parent or guardian of such person. [St C 110a s 2394–92m.4 as added by 1915 C 115]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 prohibited; penalty for employer, parent, etc.—Any person having the care, custody or control of any child under the age of fourteen years who shall exhibit, use or employ, or in any manner or under any pretense sell, apprentice, give away, let out or otherwise dispose of such child to any person for any obscene, indecent or immoral purpose, exhibition or practice, or for any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or who shall cause, procure or encourage any such child to engage therein, and any person who shall take, receive, hire, employ, use, exhibit or have in custody any such child for any such purpose shall be punished by imprisonment in the county jail not exceeding six months or by a fine of not more than one hundred dollars, or by both imprisonment and fine. [St C 186 s 4587a]

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MINES

MINIMUM AGE

Employment of boys under 14 and girls of any age prohibited; exceptions.—No boy under the age of fourteen years and no woman or girl of any age shall be employed or permitted to be in or about any coal, iron or other dangerous mines for the purpose of employment therein: *Provided however*, This provision shall not affect the employment of a boy or female of suitable age in an office or in the performance of clerical work at such mine or colliery. [Constitution article 9 section 3]

HOURS OF LABOR

Eight hours a lawful day's work.—Eight (8) hours actual work shall constitute a lawful day's work in all mines * * *. [Con art 19 s 1]

EDUCATIONAL REQUIREMENTS

COMPULSORY SCHOOL ATTENDANCE

Children from 7 to 14, inclusive; exceptions.—* * * Every parent, guardian or other person in this State having control or charge of any child or children between the ages of seven and fourteen years, inclusive, shall be required to send such child or children to a public, private or parochial school, or to two or more of these schools, each school year, during the entire time that the public school shall be in session in the district in which the pupil resides: *Provided*, That exceptions may be made in the following cases: (1) Invalids or others to whom the schoolroom might be injurious, may upon receipt of a physician's certificate, be excused by the district board. (2) Pupils to whom the provisions of this act [s 1956–1958] might work a hardship may be excused by the written consent of the district board when a request stating the reason for such excuse is presented by the parent or guardian to the district board. (3) Pupils who for legal reasons have been excluded from the regular schools and no provisions made for the schooling of such children. [Compiled Statutes 1910 section 1956]

Enforcement: duties of sheriffs, constables, and truant officers.—It shall be the duty of the sheriff of each county and of every deputy sheriff and constable within their respective precincts, and of any truant officer, if there be any, to see that the provisions of * * * [s 1956, 1957] are complied with, and when from personal knowledge, or upon reports or complaints from any resident or teacher of the county, or precinct, or district under his supervision, he believes that any child subject to the provisions of said sections is habitually tardy or absent from school, he shall immediately give written notice to the parent, guardian or custodian of such child that the attendance

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of such child at school is required by law, and if within five days after such notice such parent, guardian or custodian does not comply with the provisions of said sections, then such officer shall make and file complaint against such parent, guardian or custodian of any such child before a justice of the peace of the proper county, or the district court, for a violation of said provisions: *Provided*, That only one notice shall be required as to any child in any one year. Any such parent, guardian or custodian of any such child who shall violate the provisions of said sections, and after receiving such notice as aforesaid, and shall fail to comply with the provisions thereof, shall be adjudged guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than five dollars and not more than twenty-five dollars for any one offense, to which may be added, in the discretion of the court, imprisonment in the county jail of not more than ninety days for any offense after the first. Any district board of a school district in which there is located a city or town of more than 2,500 inhabitants, may appoint a regular truant officer to carry out the provisions of said sections, who shall be paid out of the district treasury such sum as shall be provided in the order for his appointment, not exceeding, however, the sum of four dollars for each day of actual service. [C S 1910 s 1957]

SCHOOL CENSUS

Enumeration of children from 6 to 21.—It shall be the duty of the board of trustees of each school district in this State to cause to be made during the month of April in each year a full and true enumeration of all children of school age, to wit: Those between the ages of six and twenty-one years, in their respective districts. Such enumerations shall be in duplicate and in such form as may be prescribed by the State superintendent of public instruction, and shall set forth and state the name, age, sex and residence of each child enumerated, and the same shall bear a certificate signed by all or a majority of the trustees of such school district to the effect that it has been examined by the board of trustees of such district and found to be according to the best judgment and belief of the subscribers a full, true and correct enumeration of all the children of school age in their district. One of the duplicate copies of said enumeration shall be filed by the clerk of the school district with the other papers and records of the district in his custody and the other shall by the said clerk be transmitted to the county superintendent of schools of his county on or before the fourth Monday of May in each year. [C S 1910 s 1992]

Penalty for false enumeration.—Any trustee of any school district or any enumerator employed to make or assist in making the enumeration for any district who shall knowingly and willfully make any false enumeration of the children of school age in such district or who shall certify to the correctness and truthfulness of any such enumeration knowing the same to be false, incorrect and untrue, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned in the county jail not less than ten days nor more than thirty days, or by [suffer] both such fine and imprisonment at the discretion of the court. [C S 1910 s 1994]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Employment under 14 in rope walking, gymnastics, singing, dancing, etc., prohibited; parent, employer, etc.; exceptions.—It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out or otherwise dispose of any such child to any person, in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, dancing, rope or wire walking, begging or peddling, or as a gymnast, contortionist, rider or acrobat, in any place whatsoever; or as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or in any variety theater, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever; or for or in any business [,] exhibition or vocation, injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music. It shall

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be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child, under the age, and for the purposes prohibited in this section. [C S 1910 s 3101]

NOTE.—[See section 2, chapter 77, Acts of 1915, for minimum age of 16 in certain of above occupations]

Endangering life or health, or overworking children prohibited.—It shall be unlawful for any person having the care, or custody of any child, willfully to cause or permit the life of such child to be endangered, or the health of such child to be injured, or willfully to cause or permit such child to be placed in such a situation that its life or health may be endangered, or willfully, or unnecessarily to expose to the inclemency of the weather * * * or to ill-treat, abuse, overwork, * * * or in any other manner injure such child. [C S 1910 s 3103]

Penalty.—Any person who shall be convicted of violating any of the provisions of * * * [s 3101, 3103] shall be fined not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense, shall be fined not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding six months. [C S 1910 s 3105]

Enforcement: powers of justices of the peace.—Any justice of the peace of any county in which any of the offenses defined in * * * [s 3101, 3103] are committed, may upon his own knowledge, or upon the oath of any competent person, issue a warrant to any proper officer of his county, for the arrest of any such person charged with such offense, and upon the arrest of such person, the justice of the peace before whom such person is brought for trial, shall have jurisdiction to hear and determine the cause, and if he find the accused guilty, shall assess the fine or fix the term of imprisonment, or both: *Provided*, The accused may have a trial by jury * * *. [C S 1910 s 3106]

IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 21 in immoral places prohibited; penalty.—Any person who shall * * * employ * * * any child, under the age of twenty-one years, in or about any assignation house, brothel or house of ill-fame, or in any place where any indecent or obscene or illegal exhibition takes place shall be fined not less than one hundred nor more than five hundred dollars to which may be added imprisonment in the county jail not more than twelve months, and the district courts and justices of the peace shall have jurisdiction concurrently of such offenses. [C S 1910 s 3102 as amended by 1915 C 6]

MINES, ETC.

MINIMUM AGE

Employment of boys under 14 and girls of any age prohibited; exceptions; penalty.—Any person who shall take, receive, hire or employ, either in his or her own behalf, or as the agent, servant or employee of any person, persons, association of persons, copartnership, company, corporation, any boy or male child under the age of fourteen years, or any woman or girl of any age, or shall allow or permit the said persons to be in or about any coal, iron or other dangerous mine, or underground works or dangerous place whatsoever in this State, for the purpose of employment therein or thereabouts, shall be fined not less than twenty-five dollars, nor more than one hundred dollars to which may be added imprisonment in the county jail not more than six months: *Provided however*, That the provisions of this section shall not affect or apply to the employment of a boy or female of suitable age in an office, or in the performance of clerical work at such mine, colliery or place. [C S 1910 s 3107]

REGULATED OCCUPATIONS

ENFORCEMENT

Powers of humane societies.—Any duly incorporated or organized humane society, having for its object, or one of its objects, the protection of children from cruelty, may offer any agents or officers employed by them, to the proper authorities of any county, city, town or village in this State, if they possess the qualifications of electors, for the purpose of having them commissioned to act as police officers, without compensation

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from the public, or any private authority, through the limits of said county, city, town or village, for the purpose of arresting offenders violating * * * [s 3102, 3107], or any of the provisions thereof, whereupon, said county, city, town or village authorities shall, if such persons are proper and discreet persons and have the qualifications of electors, commission them without compensation, to act as police officers, with all the rights and powers incident and pertaining thereto; but no such county, city, town or village shall be liable in any way for the salary, fees or compensation of such officers, or for any expense whatever in relation thereto, except such expense as shall occur in the prosecution of any case arising under this chapter as a criminal cause. All persons thus qualified under this section, shall be deemed to be special constables and authorized officers within the meaning of this * * * [section]. [C S 1910 s 3110]

MINES, ETC.

HOURS OF LABOR

Eight hours a day in underground mines; exceptions.—The period of employment of workingmen in all underground mines or workings shall be eight (8) hours per day, except in case of emergency where life or property is in imminent danger. [C S 1910 s 3499]

Eight hours a day in smelters, etc.; exceptions.—The period of employment of workingmen in smelters, stamp mills, sampling works, concentrates [sic] and all other institutions for the reduction of ores, and refining of ores or metals, shall be eight (8) hours per day, except in cases of emergency where life or property is in imminent danger. [C S 1910 s 3500]

Penalty.—Any person or persons, body corporate, agent, manager or employer who shall violate any of the provisions of * * * [s 3499, 3500] shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each offense, be subject to a fine of not less than one hundred dollars or more than five hundred dollars, or by [to] imprisonment in the county jail for a period of not less than one (1) month or more than six (6) months or by [to] both such fine and imprisonment. [C S 1910 s 3501]

NOTE.—[Sections 3483 to 3492 of the Compiled Statutes of 1910 provide for an inspector for metalliferous mines, but his duties appear to relate only to safety.]

COAL MINES

HOURS OF LABOR

Definition of day in contracts.—In all contracts hereafter made between any owner, lessee or operator of any coal mine, with any such miner or laborer for his services as such, the word day when used shall be construed to be eight hours: *Provided*, That nothing in this section nor in sections 3502 [sic] or 3503 contained shall be construed to prohibit or prevent any such owner, lessee or operator from operating his or its coal mine more than eight hours in any twenty-four. [C S 1910 s 3502]

Definition of hours.—The eight hours in this and the preceding section provided for, shall be construed to mean eight hours of actual labor and shall not include the time consumed in going to and returning from work. [C S 1910 s 3503]

Penalty.—Any owner, lessee or operator, his or its agent, employees or servants, violating any of the provisions of the two preceding sections shall be fined not less than fifty dollars, nor more than three hundred dollars, or imprisoned not more than three months, or both. [C S 1910 s 3504]

Enforcement: duties and powers of inspector; penalty for hindering inspector, etc.—Any State inspector of coal mines or his deputy or deputies shall have the right to enter at all times any coal mine within his district in this State, or wherever he may lawfully act in said State, to make examination thereof or to obtain information relating to the working of the same, and the owner, lessee or superintendent of such mine shall afford any assistance required by said inspector or his deputy or deputies in making such examination or obtaining such information. Said inspector or his deputy or deputies shall immediately notify the owner, lessee, superintendent or mining boss of the discovery of any violation of the mining laws of this State, and of the penalty thereby imposed for such violation * * *. Every person, company or corporation who willfully obstructs the State inspector of coal mines or his deputy or deputies in the execution of his or their duties under this act [s 3505–3535], and every owner, agent, officer, lessee or manager of a coal mine who refuses or neglects to furnish to the said inspector or his deputy or deputies the means, information, or oppor-

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tunity necessary for making any entry, inspection, examination or inquiry of or relating to any coal mine in this State as herein provided for, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than two hundred dollars, and not exceeding five hundred dollars at the discretion of the court trying said offender. Every State inspector of coal mines in this State and his deputy or deputies is and are hereby empowered to act as police officers and deputy sheriffs, with full powers to arrest and detain any person found violating any provision of this section, or of any of the coal mining laws of this State, or any part thereof, or who shall be engaged in any attempt to violate such law or laws, or against whom there is found any evidence of a previous violation thereof. [C S 1910 s 3518]

Enforcement: duties of inspectors.—* * * It shall be the duty of each inspector to examine the coal mines within his district not less frequently than once during every three months * * *. [C S 1910 s 3538]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS

SEATS FOR GIRLS

Seats to be provided and their use permitted.—Every person or corporation employing females in any manufacturing, mechanical or mercantile establishment in the State of Wyoming shall provide suitable seats for females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed. Any person or corporation who shall violate the provisions of this section, shall upon conviction thereof, be considered guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars, nor more than thirty dollars for each and every offense. [C S 1910 s 5815]

NOTE.—[See also sections 5 and 6, chapter 77, Acts of 1915.]

MANUFACTURING, MECHANICAL, AND MERCANTILE ESTABLISHMENTS, THEATERS, ETC

HOURS OF LABOR FOR GIRLS

Ten hours in a day of 12 hours, 56 a week; period of rest after 6 hours' work; time for midday meal required; more than two 10 hour days in any one week prohibited.—No female shall be employed, or suffered or permitted to work in any manufacturing, mechanical, mercantile, printing, baking, laundering, or canning establishment or hotel, or telephone exchange, restaurant, theatre or place of public amusement, more than fifty-six hours in any one week, nor more than ten hours in any one day, and such working hours shall not extend over a longer period than twelve hours in any one day, and the continuous period of employment without rest shall not be for a period of hours longer than six, and that the period specified by the word "lunch" [sic], shall not be less than one-half hour nor more than for two hours; nor shall there be included in any one week more than two days of ten hours each. [1915 C 45 s 1]

Exceptions.—The provisions of section 1, of this act shall not apply to telephone offices or exchanges, employing three females or less, or to hotels and restaurants operated by railroad companies. [1915 C 45 s 2]

Penalty.—The employment of any female for a longer time in any day or in any week than as so provided in section 1, of this act, shall be deemed a violation of this act, and any person, firm or corporation so violating the provisions hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars ($25.00), nor more than one hundred dollars ($100.00), or by imprisonment in the county jail for a period of not less than thirty (30) days or more than ninety (90) days, or by both such fine and imprisonment: *Provided further*, That each and every violation shall constitute a separate offense. [1915 C 45 s 3]

INTOXICATING LIQUORS AND IMMORAL OCCUPATIONS

MINIMUM AGE

Employment under 18 in saloons or other places where alcoholic liquors are manufactured or sold, etc., prohibited; delivering goods to saloons, immoral places, etc., by messengers under 14 not to be required.—No child under eighteen (18) years of age shall

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be employed or permitted to work in any brewery, distillery, saloon, concert hall or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold; no child under fourteen (14) years of age employed in the public messenger service, shall be required to deliver any message, package or any other thing whatsoever to any brewery, distillery, saloon, concert hall, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold, or to any premises used for immoral purposes. [1915 C 77 s 1]

DANGEROUS, INJURIOUS, AND IMMORAL OCCUPATIONS; PUBLIC EXHIBITIONS

MINIMUM AGE

Certain occupations prohibited under 16; places where alcoholic are sold, etc.; exceptions.—It shall be unlawful for any person having the care, custody or control, of any child under the age of sixteen (16) years to exhibit, use or employ such child as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for any business or in any place, situation, or exhibition, or vocation injurious to the morals or health, or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein; nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning the science or practice of music, or in the physical development of its body in any respectable gymnasium or natatorium; nor shall anything in this section be construed to prevent children taking part in what are known as amateur entertainments or theatricals for charity, or not for profit, in schools, churches, settlement houses, or boys' or girls' clubs. [1915 C 77 s 2]

Specific occupations prohibited under 14; mines, machinery, elevators, dangerous processes, etc.—It shall be unlawful for any person, firm or corporation, to take, receive, hire or employ any child or children under fourteen (14) years of age, in any underground works, or mine, in or about the surface workings thereof, or to [sic] any smelter, coke oven, or to adjust any belt to any machinery, or to operate, or assist in operating, circular or band saws, wood shapers, wood joiners, planers, sand paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines in sheet metal and tin ware manufacturing, stamping machines in washer and nut factories; nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery, or other steam generating apparatus, or automobiles, wire or iron straightening machinery; nor shall they operate, or assist in operating, rolling mill machinery, punches or shears, nor shall they operate, or assist in operating laundry machinery, nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors, or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes. [1915 C 77 s 3]

ANY GAINFUL OCCUPATION

HOURS OF LABOR

Nine hours a day, 56 a week, under 14; farm and domestic work excepted.—No person under the age of fourteen (14) years shall be employed, or suffered, or permitted, to work at any gainful occupation, except farm work or domestic service, more than fifty-six (56) hours in any one week, or more than nine (9) hours in any one day. [1915 C 77 s 4]

ALL OCCUPATIONS

MINIMUM AGE AND SEATS FOR GIRLS

Constant standing prohibited for girls under 18; seats to be provided and their use permitted.—No female under eighteen (18) years of age shall be employed, permitted, or suffered to work in any capacity where such employment compels her to remain

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standing constantly. Every person who shall employ any female under eighteen (18) years of age, shall provide suitable seats, chairs, or benches, for the use of the female so employed, which shall be so placed as to be accessible to such employees, and shall permit the use of such seats, chairs, or benches, by them in so far as the nature of their work allows, and there shall be provided at least one seat to every three (3) female employes. [1915 C 77 s 5]

REGULATED OCCUPATIONS

PENALTIES

Violation of act.—Any person, firm or corporation, employing any child in violation of the provisions of this act, or permitting, or conniving at such violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such punishments, in the discretion of the court. [1915 C 77 s 6]

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UNITED STATES

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Railroads 3

RAILROADS

HOURS OF LABOR

Application of act; definitions.—The provisions of this act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia or any Territory of the United States, or from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "employees" as used in this act shall be held to mean persons actually engaged in or connected with the movement of any train. [34 United States Statutes at Large Chapter 2939 section 1 page 1415]

Period of rest after 16 hours' work; 9 or 13 hours a day for telegraph or telephone operators; exceptions.—It shall be unlawful for any common carrier, its officers or agents, subject to this act to require or permit any employee subject to this act to be or remain on duty for a longer period than sixteen consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for sixteen hours he shall be relieved and not required or permitted again to go on duty until he has had at least ten consecutive hours off duty; and no such employee who has been on duty sixteen hours in the aggregate in any twenty-four-hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That no operator, train dispatcher, or other employee who by the use of the telegraph or telephone dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than nine hours in any twenty-four-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than thirteen hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for four additional hours in a twenty-four-hour period on not exceeding three days in any week: *Provided further*, The Interstate Commerce Commission may after full hearing in a particular case and for good cause shown extend the period within which a common carrier shall comply with the provisions of this proviso as to such case. [34 U S Stat L C 2939 s 2 p 1415]

Exceptions; penalty.—Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of the second section hereof, shall be liable to a penalty of not to exceed five hundred dollars for each and every violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed; and it shall be the duty of such district attorney to bring such suits upon satisfactory information being lodged with him; but no such suit shall be brought after the expiration of one year from the date of such violation; and it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge. In all prosecutions under this act the common carrier shall be deemed to have had knowledge of all acts of all its officers and agents: *Provided*, That the provisions of this act shall not apply in any case of casualty or unavoidable accident or the act of God; nor

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where the delay was the result of a cause not known to the carrier or its officer or agent in charge of such employee at the time said employee left a terminal, and which could not have been foreseen: *Provided further*, That the provisions of this act shall not apply to the crews of wrecking or relief trains. [34 U S Stat L C 2939 s 3 p 1415]

Enforcement: duties and powers of the Interstate Commerce Commission.—It shall be the duty of the Interstate Commerce Commission to execute and enforce the provisions of this act, and all powers granted to the Interstate Commerce Commission are hereby extended to it in the execution of this act. [34 U S Stat L C 2939 s 4 p 1415]

Court decisions.—This act is constitutional. The length of time employed has a direct relation to efficiency of employees, and the imposition of reasonable restrictions in regard thereto is not an unconstitutional interference with the liberty of contract.—C. B. & Q. R. R. Co. *v.* McGuire, 219 U. S. 549 (1909). The Interstate Commerce Commission has power to require carriers to make reports regarding the hours of labor of such employees as are subject to this act and such requirement does not violate the constitution.—B. & O. R. R. Co. *v.* Interstate Commerce Commission, 221 U. S. 612 (1911).

Employees, though inactive, are on duty within the meaning of this act, when they are under orders, liable to be called on at any moment; a separate penalty is incurred for each railway employee kept on duty for more than 16 consecutive hours, contrary to the provisions of this act, by reason of the same delay of a train.—Mo. K. & T. Ry. Co. of Texas *v.* U. S., 231 U. S. 112 (1913). In order to render the carrier liable under this act, there must be proof tending to show connection between permitting the overtime work and the happening of the accident.—St. Louis, I. M. & S. Ry. Co. *v.* McWhirter, 229 U. S. 265 (1912). Thirty minutes, occupied in preparing his engine before leaving time, constitutes part of an engineer's work period.—U. S. *v.* Ill. Cent. R. R. Co., 180 Fed. 630 (1910). A train crew gathering up loaded cars from spur lines and placing them for movement by an interstate train is engaged in interstate commerce. A delay of an indefinite period, liable to be terminated at any time, can not be deducted from the working day, though the actual labor was of less than 16 hours' duration, since the men were on duty and not definitely laid off.—U. S. *v.* Chicago, Milwaukee & P. S. Ry. Co., 197 Fed. 624 (1912). To require a locomotive fireman on an interstate railroad to remain on duty for a longer period than 16 consecutive hours is a violation of the above act, although his service for a part of the time was not connected with the running of trains.—U. S. *v.* Great Northern Ry. Co., 206 Fed. 838 (1913). Where continued service by a train crew for more than 16 hours without a consecutive rest of 8 hours, was caused by the failure of defendant's train dispatchers to appreciate the fact that the crew could not continue to their destination and return within the 16-hour period, because of a serious wreck, their continued service was the result of casualty or unavoidable accident, within section 3 of this act, and the railroad company was not liable to a penalty.—U. S. *v.* N. P. Ry. Co., 215 Fed. 64 (1914). Communications by telephone between towermen, not emanating from a train dispatcher's office, are orders within the meaning of this act.—U. S. *v.* Houston Belt & Terminal Ry. Co., 205 Fed. 344 (1913). This statute was violated by keeping a railway fireman on duty to watch and care for the engine, though the running of the train had been suspended within the 16-hour period.—Great Northern Ry. Co. *v.* United States, 218 Fed. 302 (1915). Where a railroad operator was subject to call during meal hours, he was "on duty" during that time, within the above statute; delays in the departure of trains caused by the lateness of trains on connecting lines, was held not an "emergency" within the statute.—U. S. *v.* Chicago & N. W. Ry. Co., 219 Fed. 342 (1915). That a train dispatcher was otherwise employed during part of the time, did not justify a railroad company in requiring him to remain on duty for longer hours than permitted by the statute.—Delano *v.* United States, 220 Fed. 635 (1915).

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